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PROPOSED ZONING REGULATIONS  
OF THE OAKLAND PLANNING CODE

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OAKLAND CITY PLANNING COMMISSION

OAKLAND, CALIFORNIA

JULY 1965

*Zoning*      *Oakland*  
*City planning*      "

CITY OF OAKLAND  
CALIFORNIA

CITY PLANNING COMMISSION

July 21, 1965

TO: Citizens and Civic and Business Organizations of Oakland  
FROM: Oakland City Planning Commission  
SUBJECT: PROPOSED NEW OAKLAND ZONING REGULATIONS

Enclosed is a copy of the proposed new Oakland Zoning Regulations. This document, which has been approved by the City Attorney, replaces the preliminary ordinance draft and the separate "additions and revisions" supplements to it which were distributed earlier.

The next step toward enactment of the proposed ordinance will be a public hearing before the City Council. This will be held on Tuesday, August 3, 1965, at 7:31 P.M. in the Council Chamber in City Hall. Additional information on the ordinance may be obtained from the City Planning Department office (273-3941).

The City Planning Commission greatly appreciates the interest you have shown in the proposed ordinance and the part you have taken in its formulation. Your comments and suggestions have been very valuable in suggesting ways to improve the new ordinance, which the Commission feels will be of great benefit to the City of Oakland.

Sincerely yours,

CITY PLANNING COMMISSION

*Myron A. Martin*

Myron A. Martin  
Chairman

Enc.

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TABLE OF CONTENTS

<u>Section</u>	<u>Subject</u>	<u>Page</u>
1	GENERAL PROVISIONS OF PLANNING CODE .....	1
	<u>ZONING REGULATIONS</u>	
2000	GENERAL PROVISIONS .....	3
2000	Title and Scope .....	3
2100	Definitions .....	5
2200	Use Classifications .....	14
2200	General Classification Rules .....	14
2250	Activity Types .....	18
2250	Residential Activity Types .....	18
2300	Civic Activity Types .....	19
2350	Commercial Activity Types .....	22
2400	Manufacturing Activity Types .....	25
2450	Agricultural and Extractive Activity Types .....	28
2550	Facility Types .....	29
2550	Residential Facility Types .....	29
2600	Nonresidential Facility Types .....	29
2650	Sign Types .....	30
3000	REGULATIONS APPLYING IN INDIVIDUAL RESIDENTIAL ZONES .....	32
3250	R-10 Estate Residential Zone Regulations .....	32
3350	R-20 Low Density Residential Zone Regulations .....	35
3450	R-30 One-Family Residential Zone Regulations .....	38
3600	R-40 Garden Apartment Residential Zone Regulations .....	41
3650	R-50 Medium Density Residential Zone Regulations .....	45
3750	R-60 Medium-High Density Residential Zone Regulations .....	49
3800	R-70 High Density Residential Zone Regulations .....	53
3850	R-80 High-Rise Apartment Residential Zone Regulations .....	58
3900	R-90 Downtown Apartment Residential Zone Regulations .....	64
4000	REGULATIONS APPLYING IN INDIVIDUAL COMMERCIAL ZONES .....	68
4250	C-10 Local Retail Commercial Zone Regulations .....	68
4300	C-20 Shopping Center Commercial Zone Regulations .....	72
4350	C-25 Office Commercial Zone Regulations .....	76
4450	C-30 District Thoroughfare Commercial Zone Regulations .....	80
4500	C-35 District Shopping Commercial Zone Regulations .....	85
4550	C-40 Community Thoroughfare Commercial Zone Regulations .....	89
4600	C-45 Community Shopping Commercial Zone Regulations .....	93
4800	C-50 Central Business Commercial Zone Regulations .....	97
4900	C-60 City Service Commercial Zone Regulations .....	101
5000	REGULATIONS APPLYING IN INDIVIDUAL INDUSTRIAL ZONES .....	104
5400	M-10 Special Industrial Zone Regulations .....	104
5600	M-20 Light Industrial Zone Regulations .....	108
5700	M-30 General Industrial Zone Regulations .....	111
5800	M-40 Heavy Industrial Zone Regulations .....	114



<u>Section</u>	<u>Subject</u>	<u>Page</u>
6000	REGULATIONS APPLYING IN INDIVIDUAL SPECIAL ZONES .....	117
6100	S-1 Medical Center Zone Regulations .....	117
6150	S-2 Civic Center Zone Regulations .....	121
6200	S-3 Research Center Zone Regulations .....	125
6250	S-4 Design Review Combining Zone Regulations .....	128
6300	S-5 Travel Accommodation Combining Zone Regulations .....	129
6350	S-6 Mobile Home Park Combining Zone Regulations .....	131
6400	S-7 Design Conservation Combining Zone Regulations .....	132
7000	REGULATIONS APPLYING IN ALL OR SEVERAL ZONES .....	134
7000	General Regulations .....	134
7000	General Provisions .....	134
7040	General Limitations on Signs .....	139
7050	General Lot, Density, and Area Regulations .....	145
7070	General Height, Yard, and Court Regulations .....	146
7100	Buffering Regulations .....	156
7300	Home Occupation Regulations .....	160
7400	Nonconforming Use Regulations .....	162
7400	General Provisions .....	162
7420	Nonconforming Activities .....	163
7430	Nonconforming Facilities .....	168
7500	Off-Street Parking and Loading Requirements .....	169
7500	General Provisions .....	169
7510	Off-Street Parking Requirements .....	170
7521	Off-Street Loading Requirements .....	179
7535	Standards for Required Parking and Loading Facilities .....	182
7700	Performance Standards .....	188
7800	Planned Unit Development Regulations .....	192
8100	Standards for Required Landscaping and Screening .....	197
8300	Standards for Required Usable Open Space .....	199
9000	PROCEDURES AND ADMINISTRATION .....	201
9100	Administrative Appeal Procedure .....	201
9200	Conditional Use Permit Procedure .....	202
9300	Design Review Procedure .....	205
9400	Planned Unit Development Procedure .....	208
9500	Rezoning and Law Change Procedure .....	212
9600	Variance Procedure .....	214
9800	Fee Schedule .....	218
9900	Enforcement Regulations .....	220
10000	ZONING MAPS .....	221



ORDINANCE NO. \_\_\_\_\_ C.M.S.

AN ORDINANCE REPEALING ARTICLE 6 OF CHAPTER 4 AND ARTICLE 1 OF CHAPTER 7 OF THE OAKLAND MUNICIPAL CODE AND ENACTING IN LIEU THEREOF A PLANNING CODE PROVIDING FOR THE CONTINUATION OF THE CITY PLANNING COMMISSION AND THE BOARD OF ADJUSTMENTS AND CONTAINING COMPREHENSIVE ZONING REGULATIONS ESTABLISHING A SYSTEM OF ZONES AND DEVELOPMENT CONTROL MAPS; PRESCRIBING PERMITTED AND CONDITIONALLY PERMITTED TYPES OF ACTIVITIES AND FACILITIES; ESTABLISHING PERFORMANCE STANDARDS AND OTHER CONTROLS ON SPECIFIED ACTIVITIES; ESTABLISHING COMPREHENSIVE REQUIREMENTS WITH RESPECT TO THE LOCATION, HEIGHT, BULK, INTENSITY OF UTILIZATION, AND DESIGN OF BUILDINGS, SIGNS, AND OTHER FACILITIES, THE LOCATION AND DIMENSIONS OF OPEN SPACES RELATED THERETO, AND THE AREA AND DIMENSIONS OF SITES THEREFOR; ESTABLISHING COMPREHENSIVE REQUIREMENTS FOR OFF-STREET PARKING AND LOADING, USABLE OPEN SPACE, LANDSCAPING AND SCREENING, AND CONTROL OF ARTIFICIAL ILLUMINATION; REQUIRING DESIGN REVIEW IN CERTAIN AREAS; REDESIGNATING ALL EXISTING ZONING DISTRICTS; ESTABLISHING THE ZONING OF CERTAIN LANDS WHICH HAVE BEEN OR MAY HEREAFTER BE ANNEXED TO THE CITY OF OAKLAND OR WHICH ARE OR MAY HEREAFTER BE HELD IN PUBLIC OWNERSHIP AND SUBSEQUENTLY VACATED; REVOKING CERTAIN ZONING APPROVALS GRANTED PRIOR HERETO; DEFINING TERMS USED HEREIN; PROVIDING FOR THE ENFORCEMENT OF SAID REGULATIONS; PRESCRIBING PROCEDURES AND FEES FOR THE ADMINISTRATION AND AMENDMENT THEREOF; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED by the Council of the City of Oakland as follows:

GENERAL PROVISIONS OF PLANNING CODE

SECTION 1 TITLE OF PLANNING CODE. This Ordinance shall be known as the OAKLAND PLANNING CODE, may be cited as such, and will be referred to herein by such title or as "this Code."



SECTION 10 BOARD OF ADJUSTMENTS AND CITY PLANNING COMMISSION.

A Board of Adjustments is hereby created. The Board shall consist of three members of the City Planning Commission appointed by the chairman thereof at the beginning of each fiscal year. Vacancies shall be filled by said chairman for the balance of the term vacated. The Board shall designate a chairman and a secretary and shall adopt its own rules regarding meetings and procedure. The Board shall have such powers as are granted to it by this Code. The membership and organization of the City Planning Commission shall be as prescribed in Ordinance No. 192 C.M.S., as amended by Ordinance No. 6485 C.M.S., and its powers shall be as prescribed in said ordinances and in this Code. Neither the adoption of this Code nor the repeal hereby of any ordinance shall in any manner affect the organization of the Board of Adjustments or of the City Planning Commission as existing on the effective date of this Code. All persons holding office on said Board and said Commission under any of the ordinances repealed hereby shall continue to hold such office according to the former tenure thereof.

SECTION 11 EFFECT ON PAST AND PENDING ACTIONS AND OBLIGATIONS.

Neither the adoption of this Code nor the repeal hereby of any ordinance shall in any manner affect the prosecution for violation of such ordinances committed prior to the effective date of this Code, or be construed as a waiver of any license or penalty due under any such ordinance, or in any manner affect the validity of any interlocutory or final action heretofore taken by the Board of Adjustments or the City Planning Commission or the validity of any such action to be taken upon matters pending before the Board or Commission on the effective date of this Code.

SECTION 12 SEPARABILITY. If any portion of this Code is, for any reason, declared by a court of competent jurisdiction to be invalid or ineffective in whole or in part, such decision shall not affect the validity of the remaining portions thereof. The City Council hereby declares that it would have enacted this Code and each portion thereof irrespective of the fact that any one or more portions be declared invalid or ineffective.

SECTION 13 ORDINANCES REPEALED. Article 6 of Chapter 4 and Article 1 of Chapter 7 of the Oakland Municipal Code are hereby repealed.

SECTION 14 EFFECTIVE DATE. This Code shall take effect immediately.



## ZONING REGULATIONS

### GENERAL PROVISIONS

#### TITLE AND SCOPE

SECTION 2000 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 2000 through Section 2099, inclusive, shall be known as the TITLE AND SCOPE of the ZONING REGULATIONS. The purpose of these provisions is to specify the title, purposes, and applicability of the ZONING REGULATIONS and to require conformity to said regulations. These provisions shall apply to the entire ZONING REGULATIONS.

SECTION 2001 TITLE OF ZONING REGULATIONS. The provisions of Section 2000 through Section 2099, inclusive, shall be known as the ZONING REGULATIONS.

SECTION 2002 PURPOSES OF ZONING REGULATIONS. The general purposes of the ZONING REGULATIONS are to protect and promote the public health, safety, comfort, convenience, prosperity, and general welfare and to achieve the following objectives:

(a) To promote the achievement of the proposals of the Oakland General Plan.

(b) To advance Oakland's position as a regional center of commerce, industry, recreation, and culture.

(c) To protect residential, commercial, industrial, and civic areas from the intrusion of incompatible uses, and to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services.

(d) To provide for desirable, appropriately located living areas in a variety of dwelling types and at a wide range of population densities, with adequate provision for sunlight, fresh air, and usable open space.

(e) To ensure preservation of adequate space for commercial, industrial, and other activities necessary for a healthy economy.

(f) To promote safe, fast, and efficient movement of people and goods, and the provision of adequate off-street parking and loading.

(g) To achieve excellence and originality of design in all future developments and to preserve the natural beauty of Oakland's setting.

(h) To promote the growth and productivity of the Oakland economy.

(i) To stabilize expectations regarding future development of Oakland, thereby providing a basis for wise decisions with respect to such development.



(j) To secure equity among individuals in the utilization of their property.

SECTION 2003 APPLICABILITY OF ZONING REGULATIONS.

(a) To Which Property Applicable. The ZONING REGULATIONS shall apply, to the extent permissible under other laws, to all property within the City of Oakland except currently dedicated streets, freeways, alleys, and paths, whether such property is in private or public ownership.

(b) Duplicated Regulation. Whenever any provision of the ZONING REGULATIONS and any other provision of law, whether set forth in this Code, in the Oakland Building Code or Oakland Housing Code, or in any other law, ordinance, or resolution of any kind, impose overlapping or contradictory regulations, or contain restrictions covering any of the same subject matter, that provision which is more restrictive or imposes higher standards shall control, except as otherwise expressly provided in the ZONING REGULATIONS.

(c) Private Agreements. The ZONING REGULATIONS are not intended to abrogate, annul, or impair any easement, covenant, or other agreement between parties, except that where the ZONING REGULATIONS impose a greater restriction or higher standard than that required by such agreement the ZONING REGULATIONS shall control.

SECTION 2004 EFFECT OF DEVELOPMENT CONTROL MAPS. Development control maps and all notations, references, and regulations shown therewith shall be considered part of the ZONING REGULATIONS. Development control maps may include, but are not limited to, regulations intended to carry out any plan respecting location or type of activities; height, bulk, siting, or design of structures; location or design of open areas and landscaping; and other comparable regulations. In case of conflict with any other provision of the ZONING REGULATIONS the development control map shall take precedence.

SECTION 2010 CONFORMITY WITH ZONING REGULATIONS REQUIRED. Except as otherwise allowed by Section 7003 and by the NONCONFORMING USE REGULATIONS at Section 7400, or as authorized pursuant to the VARIANCE PROCEDURE at Section 9600, no activities or facilities shall be established, substituted, expanded, constructed, altered, moved, painted, maintained, or otherwise changed, and no lot lines shall be created or changed, except in conformity to the ZONING REGULATIONS.

SECTION 2011 MINIMUM REQUIREMENTS. In their interpretation and application, the provisions of the ZONING REGULATIONS shall be considered the minimum requirements necessary to accomplish the purposes set forth in Section 2002.



## DEFINITIONS

SECTION 2100 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 2100 through Section 2149, inclusive, shall be known as the DEFINITIONS. The purpose of these provisions is to promote consistency and precision in the interpretation of the ZONING REGULATIONS. The meaning and construction of words and phrases as hereinafter set forth shall apply throughout the ZONING REGULATIONS, except where the context of such words or phrases clearly indicates a different meaning or construction.

SECTION 2101 GENERAL RULES FOR CONSTRUCTION OF LANGUAGE. The following general rules of construction shall apply to the textual provisions of the ZONING REGULATIONS:

(a) The particular shall control the general.

(b) In case of any difference of meaning or implication between the text of any provision and any caption or illustration, the text shall control.

(c) The word "shall" is always mandatory and not discretionary. The word "may" is discretionary.

(d) The word "permitted" means permitted without the requirement for a conditional use permit but subject to all applicable regulations.

(e) The words "conditionally permitted" mean permitted subject to the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200 and subject to all other applicable regulations.

(f) Words used in the present tense include the future, and words used in the singular include the plural, and the plural the singular, unless the context clearly indicates the contrary.

(g) The words "activities" and "facilities" include any part thereof.

(h) Unless the context clearly indicates to the contrary, the following conjunctions shall be interpreted as follows:

1. "And" indicates that all connected items or provisions shall apply.

2. "Or" indicates that the connected items or provisions may apply singly or in any combination.

3. "Either . . . or" indicates that the connected items or provisions shall apply singly but not in combination.

(i) All public officials, bodies, and agencies to which reference is made are those of the City of Oakland unless otherwise indicated.

(j) The word "City" means the City of Oakland.

SECTION 2102 USE CLASSIFICATIONS. Activity types and facility types, the names of which always start with capital letters, are described in the USE CLASSIFICATIONS at Section 2200.

### SECTION 2110

(a) Accessory Activity. An activity which is incidental to, and customarily associated with, a specified principal activity, and which meets the applicable conditions set forth in Section 2211.



(b) Accessory Facility. A facility, other than a Sign, which is incidental to, and customarily associated with, a specified principal facility, and which meets the applicable conditions set forth in Section 2221.

(c) Activity. The performance of a function or operation.

(d) Activity Type. A type of activity which is specially described as such by the USE CLASSIFICATIONS at Section 2200 on the basis of common functional characteristics and similar effects on other uses, and which is designated throughout the ZONING REGULATIONS by a special name each word of which starts with a capital letter.

#### SECTION 2111

(a) Alley. A dedicated public way intended primarily to provide secondary vehicular access to abutting properties.

(b) Alteration. Any enlargement; addition; relocation; repair; remodeling; change in number of living units; development of or change in an open area; development of or change in a Sign, by painting or otherwise; or other change in a facility, but excluding painting except as provided above for Signs, ordinary maintenance for which no building permit is required, and demolition or removal.

(c) Berth. An area, exclusive of docks, designed to accommodate a motor vehicle during loading or unloading of goods.

#### SECTION 2112

(a) Building. A structure having a roof supported by columns or walls.

(b) Collective Household. A group of at least two, but not more than five, persons who are unrelated by blood, marriage, or adoption, living together as an independent housekeeping unit.

(c) Commercial Zone. Any zone the name of which begins with the letter "C."

#### SECTION 2113

(a) Corner Lot. A lot bounded on two or more adjacent sides by streets, by private ways described in Section 7051, or by portions of such streets or ways, having an angle of intersection of 135 degrees or less.

(b) Court. An area between two walls on the same lot, measured for a specified distance, in a horizontal plane, perpendicularly from either of such walls; located on the same lot as said walls; and open and unobstructed except for the facilities allowed therein by Section 7090.

(c) Decibel. A unit of measurement of sound pressure level, based on a reference pressure of 0.0002 dynes per square centimeter, with a greater number of decibels corresponding on a logarithmic scale with an increase in sound pressure level.

(d) Development Control Map. A map or set of maps, with supporting text, regulating the precise location, height, bulk, design, or nature of activities or facilities.

#### SECTION 2114

(a) Display Surface (Area of). The area of the smallest plane figure which can be made to include all of the idea, advertisement, identification, or information intended to be conveyed by a Sign,



including any trim or other material or color forming an integral part of the display or used to differentiate the Sign from the background against which it is placed, but excluding uprights or other structural members which are not a part of the display. With respect to multi-faced Signs, the area of all such faces shall be included except where the context refers to only one face.

(b) Dwelling Unit. A room or suite of rooms including one and only one kitchen, except as otherwise provided in Section 7032, and designed or occupied as separate living quarters for one of the persons or groups specified in Section 7031.

(c) Earthen Berm. A mound or embankment of earth, together with necessary retaining structures.

#### SECTION 2115

(a) Efficiency Dwelling Unit. A dwelling unit containing only a single habitable room other than a kitchen, or containing a total of less than 500 square feet of floor area.

(b) Facility. A structure, open area, or other physical contrivance or object.

(c) Facility Type. A type of facilities which is specially described as such by the USE CLASSIFICATIONS at Section 2200 on the basis of common functional characteristics and similar effects on other uses, and which is designated throughout the ZONING REGULATIONS by a special name each word of which starts with a capital letter.

(d) Family. One person, or two or more persons related by blood, marriage, or adoption or by licensing as a foster home by the Alameda County Welfare Department, living together as an independent house-keeping unit, together with incidental domestic servants and temporary non-paying guests.

#### SECTION 2116

(a) Finished Grade. The finished surface of the ground after grading for development.

(b) Flashing Illumination (of a Sign). Illumination of a Sign wherein such illumination is not maintained constant in intensity, color, and pattern during all times the Sign is activated.

(c) Floor Area. The total of the gross horizontal areas of all floors, including usable basements and cellars, below the roof and within the outer surfaces of the main walls of principal or accessory buildings or the center lines of party walls separating such buildings or portions thereof, or within lines drawn parallel to and two feet within the roof line of any building or portion thereof without walls, but excluding the following:

1. Areas used for off-street parking spaces or loading berths and driveways and maneuvering aisles relating thereto.
2. Areas which qualify as usable open space under the STANDARDS FOR REQUIRED USABLE OPEN SPACE at Section 8300.

3. In the case of Nonresidential Facilities: arcades, porticoes, and similar open areas which are located at or near street level, which are accessible to the general public, and which are not designed or used as sales, display, storage, service, or production areas.

(d) Floor-Area Ratio. The number resulting from division of the floor area on a lot by the lot area.

#### SECTION 2117

(a) Frequency. The number of oscillations per second, or pitch, of a sound, with a greater frequency corresponding to a higher pitch.

(b) Frontage. A front lot line; also the length thereof.

(c) Front Lot Line.

1. On an interior lot: any abutting street line.

2. On a corner lot: the shorter of any adjacent two abutting street lines, or portions thereof, which intersect at an angle of not less than 45 degrees but not more than 135 degrees; provided that if such street lines, or portions thereof, are equal in length the owner or developer of the lot may select either as the front lot line. If adjacent street lines, or portions thereof, of a corner lot intersect at an angle of less than 45 degrees, both such street lines or portions thereof shall be deemed front lot lines.

(d) Front Yard. A yard measured into a lot from its front lot line or lines. Except where a front yard is prescribed only for certain kinds of facilities, a required front yard shall extend the full width of the lot between its side lot lines.

#### SECTION 2118

(a) Habitable Room. Any room in a living unit except a bathroom, water closet, hall, storage space, utility room, foyer, communicating hall, pantry, laundry, or unfinished attic, basement, or cellar.

(b) Height.

1. In the case of a building, Sign, or other facility not covered by Section 2118(b)2: the vertical distance by which such building, Sign, or other facility, or portion thereof, extends above the average elevation of the adjoining finished grade, except that such distance shall be measured above some other level whenever such is indicated in the context.

2. In the case of a fence, screening or retaining wall, or dense landscaping: the vertical distance by which such facility, or portion thereof, extends above the actual immediately adjoining finished grade, except that such distance shall be so measured above some other level whenever such is indicated in the context.

(c) Home Occupation. An accessory activity of a nonresidential nature which is performed within a living unit, or within a garage attached thereto and reserved therefor, by an occupant of the living unit and which is customarily incidental to the Residential use of the living unit.



(d) Hotel. A facility, other than a motel, designed for or occupied by Transient Habitation Commercial Activities, where access to individual units is predominantly by means of common interior hallways.

SECTION 2119

(a) Indirect Illumination (of a Sign). Illumination of a Sign by means only of light cast upon it from a concealed source outside the Sign itself.

(b) Industrial Zone. Any zone the name of which begins with the letter "M."

(c) Interior Lot. Any lot other than a corner lot.

(d) Interior Side Lot Line. Any side lot line which is not a street line.

(e) Introductory Service. An activity the primary purpose of which is, for compensation, promoting friendships between or introducing for social purposes persons of the opposite sex.

#### SECTION 2120

(a) Key Lot. The first interior lot to the rear of a reversed corner lot, with its front lot line being substantially a continuation of a side lot line of the reversed corner lot.

(b) Kitchen. Any room or portion thereof containing facilities designed or used for the preparation of food, including but not limited to stoves, ranges, or hotplates.

(c) Legally Required Window. A window or portion thereof which serves to meet the requirements of the Oakland Housing Code with respect to area, number, or location of windows.

#### SECTION 2121

(a) Living Room. The principal room designed for general living purposes in a dwelling unit. Every dwelling unit shall be deemed to have a living room.

(b) Living Unit. A dwelling unit or a rooming unit.

(c) Lot. A parcel of contiguous land which is or may be developed or utilized, under one ownership, as a unit site for a use or group of uses.

(d) Lot Area. The area of a lot measured horizontally between bounding lot lines.

#### SECTION 2122

(a) Lot Depth. The horizontal distance between the rear lot line, or some other lot line in cases where there is no rear lot line, and the midpoint of the front lot line, measured back from said midpoint in the mean direction of the side lot lines; also the line so described.

(b) Lot Line. Any boundary of a lot.

(c) Lot Width. The mean of the horizontal distances between the side lot lines measured at right angles to the lot depth at points distant thereon 20 feet from the front lot line and 20 feet from the rear lot line, or from the rearmost point of the lot depth in cases where there is no rear lot line.

(d) Motel. A facility designed for or occupied by Transient Habitation Commercial Activities, where access to individual units is predominantly by means of common exterior corridors or where off-street parking is in sufficiently close proximity to the units as to facilitate direct baggage handling by guests.

#### SECTION 2123

(a) Moving (of a Sign). Rotation or any other movement of any portion of a Sign, except for normal movement of hands on a clock.

(b) Natural Grade. The surface of the ground prior to grading for development.

(c) Nonconforming Activity. An activity which, under the ZONING REGULATIONS, is not itself a permitted activity where it is located or does not conform to the off-street parking or loading requirements, performance standards, or other requirements applying to activities. However, an activity of the character described above shall not be deemed a nonconforming activity to the extent that it has been or is hereafter authorized by a subsisting conditional use permit, variance, or other special zoning approval.



(d) Nonconforming Facility. A facility which, under the ZONING REGULATIONS, is not itself a permitted facility where it is located or does not conform to the density, floor-area ratio, height, yard, court, landscaping or screening, or usable open space requirements; limitations on Signs; or other requirements applying to facilities. However, a facility of the character described above shall not be deemed a nonconforming facility to the extent that it has been or is hereafter authorized by a subsisting conditional use permit, variance, or other special zoning approval.

(e) Nonconforming Use. A nonconforming activity or a nonconforming facility.

#### SECTION 2124

(a) Path. A dedicated public way intended for pedestrian movement.

(b) Performance Standards. Regulations prescribed in the PERFORMANCE STANDARDS at Section 7700 with respect to the emission by activities of noise, vibration, smoke, and other dangerous or objectionable matter or phenomena.

(c) Planned Unit Development. A large, integrated development adhering to a comprehensive plan and located on a single tract of land, or on two or more tracts of land which may be separated only by a street or other right-of-way.

#### SECTION 2125

(a) Principal Activity. An activity which fulfills a primary function of an establishment, institution, household, or other entity.

(b) Principal Facility. A main building or other facility which is designed for or occupied by a principal activity.

(c) Rear Lot Line. The lot line which is opposite and most distant from the front lot line, and which is parallel to the front lot line or, if extended, would intersect with it at an angle of less than 45 degrees.

#### SECTION 2126

(a) Rear Yard. A yard measured into a lot from its rear lot line, provided that in cases where there is no rear lot line the rear yard shall be measured into the lot from the rearmost point of the lot depth, parallel to said lot depth. Except where a rear yard is prescribed only for certain kinds of facilities or along only a portion of a lot line, a required rear yard shall extend the full width of the lot between its side lot lines.

(b) Regular Dwelling Unit. Any dwelling unit other than an efficiency dwelling unit.

(c) Residential Zone. Any zone the name of which begins with the letter "R."

#### SECTION 2127

(a) Reversed Corner Lot. A corner lot a side lot line of which is substantially a continuation of the front lot line of the first lot to its rear.

(b) Ringelmann Number. A number on the Ringelmann Chart, as standardized by the United States Bureau of Mines, used to measure the light-obscuring capacity of smoke, with a higher Ringelmann number corresponding to darker smoke.

#### SECTION 2128

(a) Rooming Unit. A room or suite of rooms, not including a kitchen, designed or occupied as separate living quarters, with or without common boarding provisions, but excluding such rooms where they accommodate a total of three or fewer paying guests within a One-Family Dwelling Residential Facility through the main portion of which access may be had to all such rooms; provided that in the case of student dormitories and similar group living arrangements each two beds shall be deemed a rooming unit.

(b) Side Lot Line. Any lot line which is not a front lot line or a rear lot line.

(c) Side Yard. A yard measured into a lot from one or more of its side lot lines. Except where a side yard is prescribed only for certain kinds of facilities or along only a portion of a side lot line, a required side yard shall extend between the required front yard and rear yard, or the front or rear lot lines in cases where no front yard or rear yard is required.

(d) Sound Pressure Level. The level of intensity of a sound.

(e) Special Zone. Any zone the name of which begins with the letter "S."

#### SECTION 2129

(a) Story. A portion of a building between the surface of any floor and the surface of the floor next above it, or, if there is no floor above it, the space between such floor and the ceiling next above it, provided that the following shall not be deemed a story:

1. A basement or cellar if the finished floor level directly above is not more than six feet above the average adjoining elevation of finished grade.
2. An attic or similar space under a gable, hip, or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two feet above the floor of such space.

(b) Street. A dedicated public way, other than an alley or path, having a right-of-way not less than 40 feet in width, which is intended to afford the principal means of vehicular access to abutting properties, provided that any such way which was of record on October 6, 1953 shall be deemed a street regardless of width.

(c) Street Line. A lot line dividing a lot from an abutting street, or private way described in Section 7051.



(e) Street Side (of a Corner Lot). The side of a corner lot along any side lot line thereof which is a street line.

(f) Structure. Any facility which is constructed or erected, and which is located on the ground or is attached to something having location on the ground.

#### SECTION 2130

(a) Substitution (of Activities). The replacement of an existing activity by a new activity, or a change in the nature of an existing activity, but not including a change of ownership, tenancy, or management where the previous line of business or other function is substantially unchanged.

(b) Use. An activity or a facility.

(c) Yard. An area between a facility and some lot line, measured for a specified distance, in a horizontal plane, perpendicularly between such facility and lot line; located on the same lot as said facility; and open and unobstructed except for the facilities allowed therein by Section 7090.



## USE CLASSIFICATIONS

### GENERAL CLASSIFICATION RULES

SECTION 2200 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 2200 through Section 2799, inclusive, shall be known as the USE CLASSIFICATIONS. The purpose of these provisions is to classify uses into a number of specially defined types on the basis of common functional characteristics and similar compatibility with other uses, thereby providing a basis for regulation of uses in accordance with criteria which are directly relevant to the public interest. These provisions shall apply throughout the ZONING REGULATIONS.

#### SECTION 2201 DEFINITIONS.

(a) Activity. An activity is the performance of a function or operation.

(b) Facility. A facility is a structure, open area, or other physical contrivance or object.

SECTION 2210 LISTING OF ACTIVITY CLASSIFICATIONS. All activities are hereby classified into the following activity types, which are described in Section 2250 through Section 2549, inclusive. (See Section 2213 for classification of combinations of activities resembling different types.) The names of these activity types start with capital letters throughout the ZONING REGULATIONS.

#### (a) Residential Activities:

Permanent

Semi-Transient

#### (b) Civic Activities:

Essential Service

Limited Child-Care

Nursing Home

Community Assembly

Community Education

Non-Assembly Cultural

Administrative

Health Care

Utility and Vehicular

Extensive Impact

#### (c) Commercial Activities:

Food Sales and Service

Convenience Sales and Service

Medical Service

General Retail Sales

General Personal Service

Consultative and Financial Service

Consumer Laundry and Repair Service

Group Assembly

Administrative

Business and Communication Service

Retail Business Supply

Research Service



General Wholesale Sales  
Transient Habitation  
Construction Sales and Service  
Automotive Sales, Rental, and Delivery  
Automotive Servicing  
Automotive Repair and Cleaning  
Automotive Fee Parking  
Transport and Warehousing  
Animal Care  
Undertaking Service  
Scrap Operation

(d) Manufacturing Activities:

Custom  
Light  
General  
Heavy

(e) Agricultural and Extractive Activities:

Plant Nursery  
Crop and Animal Raising  
Mining and Quarrying

SECTION 2211 ACCESSORY ACTIVITIES. In addition to the principal activities expressly included therein, each activity type shall be deemed to include such activities as are customarily associated with, and are appropriate, incidental, and subordinate to, such a principal activity; are located on the same lot as such principal activity except as otherwise provided in subsections (a), (j), and (k); and meet the further conditions set forth hereinafter. Such accessory activities shall be controlled in the same manner as the principal activities within such type except as otherwise expressly provided in the ZONING REGULATIONS. Such accessory activities include, but are not limited to, the activities indicated below. (See also Section 2213 for additional activities included within activity types in the case of combinations of different principal activities.)

(a) Off-street parking and loading serving a principal activity, whether located on the same lot thereas or on a different lot, but only if the facilities involved are reserved for the residents, employees, patrons, or other persons participating in the principal activity.

(b) Home occupations, subject to the applicable provisions of the HOME OCCUPATION REGULATIONS at Section 7300.

(c) Residential occupancy in connection with a principal nonresidential activity on the same lot, but only if the residents are required to remain on the premises for protective, conference, or comparable technical purposes.

(d) Operation of an employee cafeteria by a firm engaging in a principal nonresidential activity on the same lot.

(e) Sale of goods on the same lot as a principal Civic Activity, but only if such goods are available only to persons participating in the principal activity.

(f) Production of goods for sale by a firm engaged in a principal Commercial Activity on the same lot, but only if:

1. All goods so produced are sold at retail by the same firm either on the same or other lots; and
2. Such production does not occupy more than 75 percent of the total floor area and open sales, display, storage, and service area occupied by such firm on the lot; and
3. Such production does not in any case occupy more than 3,000 square feet of such floor area and open area.

(g) Storage of goods sold by a principal Commercial Activity, or used in or produced by a principal Manufacturing Activity, engaged in by the same firm on the same lot.

(h) Operation of an administrative office of a firm engaged in a principal Manufacturing Activity on the same lot, but only if such office does not occupy more than 50 percent of the total floor area and open sales, display, storage, and service area occupied by such firm on the lot.

(i) Wholesale sale, or retail sale to the buyer's custom order, of goods produced by a principal Manufacturing Activity engaged in by the same firm on the same lot.

(j) Temporary construction, grading, and demolition activities which are necessary and incidental to the development of facilities on the same lot, or on another of several lots being developed at the same time.

(k) Temporary conduct of a real estate sales office which is necessary and incidental to, and located on the site of, a subdivision being developed into five or more lots.

SECTION 2213 CLASSIFICATION OF COMBINATIONS OF PRINCIPAL ACTIVITIES. The following rules shall apply where a single lot contains activities which resemble two or more different activity types and which are not classified by Section 2211 as accessory activities:

(a) Separate Classification of Each Establishment. The principal activities conducted on a single lot by each individual establishment, management, or institution shall be classified separately.

(b) Separate Classification of Different Major Classes of Activities Conducted by Single Establishment. If the principal activities conducted on a single lot by a single establishment, management, or institution resemble two or more different major classes of activities -- to wit, Residential, Civic, Commercial, Manufacturing, or Agricultural and Extractive Activities -- the principal activities resembling each major class shall be classified separately.

(c) Classification of Different Activities Within Same Major Class, Conducted by Single Establishment. If principal activities conducted on a single lot by a single establishment, management, or institution resemble two or more different activity types within the same major class of activities, all such principal activities shall be classified in the activity type within said class the description of which type most closely portrays the overall nature of



such activities. However, when they have any of the characteristics of Utility and Vehicular, Health Care, or Extensive Impact Civic Activities; General Wholesale Sales or Scrap Operation Commercial Activities; General or Heavy Manufacturing Activities; or Crop and Animal Raising or Mining and Quarrying Agricultural or Extractive Activities, all such principal activities within the same major class of activities as any of such types shall be classified within that one of such types the description of which most closely portrays said principal activities; except that all such Commercial Activities shall be classified within the Scrap Operation Commercial Activities type if they have any of its characteristics, and all such Manufacturing Activities shall be classified within the Heavy Manufacturing Activities type if they have any of its characteristics.

SECTION 2220 LISTING OF FACILITY CLASSIFICATIONS. All facilities are hereby classified into the following facility types, which are described in Section 2550 through Section 2799, inclusive. (See Section 2223 for classification of combinations of facilities resembling different types.) The names of these facility types start with capital letters throughout the ZONING REGULATIONS.

(a) Residential Facilities:

- One-Family Dwelling
- Two-Family Dwelling
- Multi-Family Dwelling
- Rooming House
- Mobile Home

(b) Nonresidential Facilities:

- Enclosed
- Open
- Drive-In

(c) Signs:

- Residential
- Special
- Development
- Realty
- Civic
- Business
- Advertising

SECTION 2221 ACCESSORY FACILITIES. In addition to the principal facilities expressly included therein, each Residential and Nonresidential facility type shall be deemed to include such facilities as are customarily associated with, and are appropriate, incidental, and subordinate to, such a principal facility; are located on the same lot as such principal facility except as otherwise provided in subsections (a), (f), and (g); and meet the further conditions set forth hereinafter. Such accessory facilities shall be controlled in the same manner as the principal facilities within such type except as otherwise expressly provided in the ZONING REGULATIONS. They include but are not limited to the following facilities, but shall not be deemed to include Signs, which are classified and controlled separately:

(a) Off-street parking and loading facilities serving a principal Residential or Nonresidential Facility, whether located on the same lot thereas or on another lot, but only if they are reserved for the residents, employees, patrons, or other persons utilizing the principal facility.

(b) Open areas devoted to decorative paving or to swimming pools, located on the same lot as a principal facility.

(c) Storage and service areas and accessory buildings, other than those listed elsewhere in this section, if serving a principal facility on the same lot; provided, however, that no such facilities which are unenclosed shall qualify as accessory to any principal Enclosed Nonresidential Facility except for open areas, not exceeding 200 square feet each, for the temporary storage of trash.

(d) A single trailer incidental to and on the same lot as principal Residential Facilities, but only if said trailer is not intended for habitation while it is on the lot.

(e) Living quarters in connection with a principal Nonresidential Facility on the same lot, but only if the residents are required to remain on the premises for protective, conference, or comparable technical purposes.

(f) Temporary construction yards and similar facilities which are necessary and incidental to development of facilities on the same lot, or on another of several lots being developed at the same time.

(g) A temporary real estate sales office which is necessary and incidental to, and located on the site of, a subdivision being developed into five or more lots.

SECTION 2223 CLASSIFICATION OF COMBINATIONS OF PRINCIPAL FACILITIES. If the facilities on a single lot resemble two or more different facility types, each facility which is not classified by Section 2221 as an accessory facility shall be classified separately.

SECTION 2230 CLASSIFICATION OF UNLISTED USES. Any activity or facility which is not expressly classified within an activity type or facility type shall be included in that type the description of which most closely portrays it, subject to the applicable provisions of Sections 2213 and 2223 with respect to combinations of uses. In case of uncertainty as to the classification of any use, the Director of City Planning shall classify said use, subject to the right of appeal from such determination pursuant to the ADMINISTRATIVE APPEAL PROCEDURE at Section 9100.

## ACTIVITY TYPES

### Residential Activity Types

SECTION 2250 GENERAL DESCRIPTION OF RESIDENTIAL ACTIVITIES. Residential Activities include the occupancy of living accommodations on a wholly or primarily nontransient basis; but exclude



institutional living arrangements involving the provision of a special kind of care or forced residence, such as in nursing homes, orphanages, asylums, and prisons. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2260 PERMANENT RESIDENTIAL ACTIVITIES. Permanent Residential Activities include the occupancy of living accommodations on a weekly or longer basis, with none of the living units under the same ownership or management on the same lot being occupied on a shorter basis; but exclude institutional living arrangements involving the provision of a special kind of care or forced residence, such as in nursing homes, orphanages, asylums, and prisons. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2261 SEMI-TRANSIENT RESIDENTIAL ACTIVITIES. Semi-Transient Residential Activities include the occupancy of living accommodations partly on a weekly or longer basis and partly for a shorter time period, but with less than 30 percent of the living units under the same ownership or management on the same lot being occupied on a less-than-weekly basis; but exclude institutional living arrangements involving the provision of a special kind of care or forced residence, such as in nursing homes, orphanages, asylums, and prisons. They also include certain activities accessory to the above, as specified in Section 2211.

### Civic Activity Types

SECTION 2300 GENERAL DESCRIPTION OF CIVIC ACTIVITIES. Civic Activities include the performance of utility, educational, recreational, cultural, medical, protective, governmental, and other activities which are strongly vested with public or social importance. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2310 ESSENTIAL SERVICE CIVIC ACTIVITIES. Essential Service Civic Activities include the maintenance and operation of the following installations. They also include certain activities accessory thereto, as specified in Section 2211.

(a) Electric, gas, and telephone distribution lines and poles, and water, storm drainage, and sewer lines, with incidental appurtenances thereto, but excluding electric transmission lines.

(b) Parks and botanical gardens, but excluding playgrounds, playing fields, bandstands, auditoriums, and similar assembly areas.

(c) Private streets.

(d) Public polling places.

SECTION 2311 LIMITED CHILD-CARE CIVIC ACTIVITIES. Limited Child-Care Civic Activities include the provision of day-care service for three or fewer children. They also include certain activities accessory thereto, as specified in Section 2211.

SECTION 2312 NURSING HOME CIVIC ACTIVITIES. Nursing Home Civic Activities include the activities typically performed by the following institutions. They also include certain activities accessory thereto, as specified in Section 2211.

(a) Rest homes and homes for the aged with six or fewer patients.

(b) Nursing homes and convalescent hospitals with six or fewer patients, but excluding institutions for mental, drug addict, or alcohol addict cases.

SECTION 2314 COMMUNITY ASSEMBLY CIVIC ACTIVITIES. Community Assembly Civic Activities include the activities typically performed by, or at, the following institutions or installations. They also include certain activities accessory thereto, as specified in Section 2211.

(a) Churches, temples, and synagogues.

(b) Food service and other concessions located within public parks.

(c) Public, parochial, and private non-profit clubs, lodges, meeting halls, and recreation centers.

(d) Public and parochial playgrounds and playing fields.

(e) Temporary non-profit festivals.

SECTION 2316 COMMUNITY EDUCATION CIVIC ACTIVITIES. Community Education Civic Activities include the activities typically performed by the following institutions. They also include certain activities accessory thereto, as specified in Section 2211.

(a) Orphanages.

(b) Public, parochial, and private day-care centers for four or more children.

(c) Public, parochial, and private nursery schools and kindergartens.

(d) Public, parochial, and private elementary, junior high, and high schools.

SECTION 2317 NON-ASSEMBLY CULTURAL CIVIC ACTIVITIES. Non-Assembly Cultural Civic Activities include the activities typically performed by the following institutions. They also include certain activities accessory thereto, as specified in Section 2211.

(a) Public, parochial, and private non-profit museums and art galleries.

(b) Public, parochial, and private non-profit libraries and observatories.

SECTION 2318 ADMINISTRATIVE CIVIC ACTIVITIES. Administrative Civic Activities include the activities typically performed by public, parochial, and public utility administrative offices. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2320 HEALTH CARE CIVIC ACTIVITIES. Health Care Civic Activities include the activities typically performed by the following institutions. They also include certain activities accessory thereto, as specified in Section 2211.



- (a) Health Clinics.
- (b) Hospitals.
- (c) Nursing homes, convalescent hospitals, rest homes, and homes for the aged with seven or more patients, or with mental, drug addict, or alcohol addict cases.
- (d) Centers for observation or rehabilitation, with full-time supervision or care.

SECTION 2321 UTILITY AND VEHICULAR CIVIC ACTIVITIES.

Utility and Vehicular Civic Activities include the maintenance and operation of the following installations. They also include certain activities accessory thereto, as specified in Section 2211.

- (a) Communications equipment installations and exchanges.
- (b) Electrical substations.
- (c) Emergency hospitals operated by a public agency.
- (d) Gas substations.
- (e) Neighborhood newscarrrier distribution centers.
- (f) Police stations and fire stations.
- (g) Post offices, but excluding major mail-processing centers.
- (h) Publicly operated off-street parking lots and garages available to the general public either without charge or on a fee basis.

SECTION 2322 EXTENSIVE IMPACT CIVIC ACTIVITIES. Extensive Impact Civic Activities include the activities typically performed by, or the maintenance and operation of, the following institutions and installations. They also include certain activities accessory thereto, as specified in Section 2211.

- (a) Airports, heliports, and helistops.
- (b) Cemeteries, mausoleums, and columbariums.
- (c) Colleges, junior colleges, and universities, but excluding business schools operated as profit-making enterprises.
- (d) Detention and correction institutions.
- (e) Docks and wharves operated by a public agency.
- (f) Electric transmission lines.
- (g) Garbage dumps.
- (h) Golf courses.
- (i) Major mail-processing centers.
- (j) Military installations.
- (k) Public and public utility corporation or truck yards.
- (l) Radio and television transmission stations.
- (m) Railroad and bus terminals.
- (n) Railroad rights-of-way and yards and bus storage areas.
- (o) Reservoirs and water tanks.
- (p) Sewage disposal tanks.
- (q) Stadiums, sports arenas, auditoriums, and bandstands.
- (r) Truck terminals operated by a public agency.
- (s) Zoological gardens.

## Commercial Activity Types

### SECTION 2350 GENERAL DESCRIPTION OF COMMERCIAL ACTIVITIES.

Commercial Activities include the distribution and sale or rental of goods; the provision of services other than those classified as Civic Activities; and the administrative and research operations of private, profit-oriented firms, other than public utility firms. They also include certain activities accessory to the above, as specified in Section 2211.

### SECTION 2360 FOOD SALES AND SERVICE COMMERCIAL ACTIVITIES.

Food Sales and Service Commercial Activities include the retail sale, from the premises, of food or beverages for home consumption, as well as the retail sale of prepared food or beverages for on-premises consumption. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2361 CONVENIENCE SALES AND SERVICE COMMERCIAL ACTIVITIES. Convenience Sales and Service Commercial Activities include the retail sale, from the premises, of drugs and other frequently needed small personal convenience items such as toiletries, tobacco, and magazines, as well as the provision of personal convenience services which are typically needed frequently or recurrently, such as barber and beauty care; and include shoe shining and operation of self-service laundromats and laundry or dry cleaning pick-up stations but exclude other apparel cleaning and repair services. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2362 MEDICAL SERVICE COMMERCIAL ACTIVITIES. Medical Service Commercial Activities include the provision of therapeutic, preventive, or corrective personal treatment services by physicians, dentists, and other practitioners, as well as the provision of medical testing and analysis services. They also include certain activities accessory to the above, as specified in Section 2211.

### SECTION 2363 GENERAL RETAIL SALES COMMERCIAL ACTIVITIES.

General Retail Sales Commercial Activities include the retail sale or rental from the premises, primarily for personal or household use, of goods consisting primarily of items other than those described in Sections 2360 or 2361; but exclude sale or rental of motor vehicles, except for parts and accessories, and sale of materials used in construction of buildings or other structures, except for paint, fixtures, and hardware. They also include certain activities accessory to the above, as specified in Section 2211.

### SECTION 2366 GENERAL PERSONAL SERVICE COMMERCIAL ACTIVITIES.

General Personal Service Commercial Activities include the provision to individuals of informational, instructional, amusement, and similar services of a non-professional nature which are not typically needed frequently, other than the services classified



as Civic Activities or described in Sections 2367, 2371, and 2379. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2367 CONSULTATIVE AND FINANCIAL SERVICE COMMERCIAL ACTIVITIES. Consultative and Financial Service Commercial Activities include the provision of financial, insurance, and real estate brokerage services, as well as the provision of advice, designs, information, or consultation of a professional nature, other than the services classified as Civic Activities or described in Sections 2362, 2373, and 2375. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2370 CONSUMER LAUNDRY AND REPAIR SERVICE COMMERCIAL ACTIVITIES. Consumer Laundry and Repair Service Commercial Activities include the cleaning or repair of personal apparel and household appliances, furniture, and similar items, other than the services listed in Section 2361; but exclude repair of motor vehicles and of structures. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2371 GROUP ASSEMBLY COMMERCIAL ACTIVITIES. Group Assembly Commercial Activities include the provision of cultural, entertainment, educational, and athletic services, other than those classified as Civic Activities, to assembled groups of spectators or participants. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2372 ADMINISTRATIVE COMMERCIAL ACTIVITIES. Administrative Commercial Activities include the executive, management, administrative, and clerical activities of private, profit-oriented firms, other than public utility firms. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2373 BUSINESS AND COMMUNICATION SERVICE COMMERCIAL ACTIVITIES. Business and Communication Service Commercial Activities include the provision, primarily to firms rather than to individuals, of services of a clerical, goods brokerage, communication, or minor processing nature, including multicopy and blue-printing services; but exclude printing of books, other than pamphlets and small reports for another firm, and the storage of goods, other than small samples, for sale. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2374 RETAIL BUSINESS SUPPLY COMMERCIAL ACTIVITIES. Retail Business Supply Commercial Activities include the retail sale or rental from the premises, primarily to firms and other organizations using the goods rather than to individuals, of office equipment and supplies and similar goods, together with the provision of incidental maintenance services; but exclude sale or rental of motor vehicles, except for parts and accessories, and sale of materials used in construction of buildings or other structures, except for paint, fixtures, and hardware. They also include certain activities accessory to the above, as specified in Section 2211.

#### SECTION 2375 RESEARCH SERVICE COMMERCIAL ACTIVITIES.

Research Service Commercial Activities include research of an industrial or scientific nature, other than medical testing and analysis and routine product testing, which is offered as a service or which is conducted by and for a private profit-oriented firm, other than a public utility firm. They also include certain activities accessory to the above, as specified in Section 2211.

#### SECTION 2378 GENERAL WHOLESALE SALES COMMERCIAL ACTIVITIES.

General Wholesale Sales Commercial Activities include the storage and sale, from the premises, of goods to other firms for resale, as well as the storage of goods on the premises and their transfer therefrom to retail outlets of the same firm; but exclude sale or storage of motor vehicles, except for parts and accessories, and sale or storage of materials used in construction of buildings or other structures, except for paint, fixtures, and hardware. They also include certain activities accessory to the above, as specified in Section 2211.

#### SECTION 2379 TRANSIENT HABITATION COMMERCIAL ACTIVITIES.

Transient Habitation Commercial Activities include the provision of lodging services to transient guests on a less-than-weekly basis, other than in the case of activities classified by Section 2261 as Residential Activities. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2380 CONSTRUCTION SALES AND SERVICE COMMERCIAL ACTIVITIES. Construction Sales and Service Commercial Activities include construction and incidental storage activities performed by construction contractors on lots other than construction sites, as well as the retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures, other than paint, fixtures, and hardware. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2381 AUTOMOTIVE SALES, RENTAL, AND DELIVERY COMMERCIAL ACTIVITIES. Automotive Sales, Rental, and Delivery Commercial Activities include the retail or wholesale sale or rental, from the premises, of motor vehicles, with incidental maintenance, as well as the retail or wholesale sale or rental, from the premises, of any type of goods where orders are placed predominantly by telephone or mail order with delivery being provided by motor vehicle. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2382 AUTOMOTIVE SERVICING COMMERCIAL ACTIVITIES. Automotive Servicing Commercial Activities include the sale, from the premises, of goods and the provision of services which are generally required in the operation and maintenance of automotive vehicles and the fulfilling of motorist needs, including sale of petroleum products together with sale and servicing of tires, batteries, automotive accessories, and replacement items, lubricating services, and performance of minor repairs. They also



include certain activities accessory to the above, as specified in Section 2211.

SECTION 2383 AUTOMOTIVE REPAIR AND CLEANING COMMERCIAL ACTIVITIES. Automotive Repair and Cleaning Commercial Activities include the major repair or painting of motor vehicles, including body work and installation of major accessories, as well as the washing and polishing of motor vehicles. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2384 AUTOMOTIVE FEE PARKING COMMERCIAL ACTIVITIES. Automotive Fee Parking Commercial Activities include the parking and storage of motor vehicles on a fee basis, other than the operation of parking facilities by a Civic Activity. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2387 TRANSPORT AND WAREHOUSING COMMERCIAL ACTIVITIES. Transport and Warehousing Commercial Activities include the provision of warehousing and storage, freight handling, shipping, and trucking services. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2388 ANIMAL CARE COMMERCIAL ACTIVITIES. Animal Care Commercial Activities include the provision of animal care, treatment, and boarding services. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2389 UNDERTAKING SERVICE COMMERCIAL ACTIVITIES. Undertaking Service Commercial Activities include the provision of undertaking and funeral services involving the care and preparation of the human dead prior to burial. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2390 SCRAP OPERATION COMMERCIAL ACTIVITIES. Scrap Operation Commercial Activities include the storage and sale, from the premises, or dismantling or other processing of used or waste materials which are not intended for reuse in their original form, except when such activities are part of a manufacturing operation. They also include certain activities accessory to the above, as specified in Section 2211.

### Manufacturing Activity Types

SECTION 2400 GENERAL DESCRIPTION OF MANUFACTURING ACTIVITIES. Manufacturing Activities include the on-site production of goods by methods other than agricultural and extractive in nature. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2410 CUSTOM MANUFACTURING ACTIVITIES. Custom Manufacturing Activities include the following activities. They also

include certain activities accessory thereto, as specified in Section 2211.

(a) Manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of the following products:

Cameras and photographic equipment, but  
excluding film

Custom clothing and hair products

Professional, scientific, measuring, and control  
instruments

Musical instruments, but excluding pianos and organs

Medical, dental, optical, and orthopedic instru-  
ments and appliances

Handicraft, art objects, and jewelry

(b) Printing, publishing, pattern-making, and sign-making.

SECTION 2411 LIGHT MANUFACTURING ACTIVITIES. Light Manufacturing Activities include the following activities. They also include certain activities accessory thereto, as specified in Section 2211.

(a) Manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of articles of merchandise, other than the products listed in Sections 2410, 2414, or 2415, from the following prepared materials:

Asbestos

Cellophane

Cork

Fabrics and fibers

Feathers

Fur

Hair

Leather

Paper

Plastics

Rubber

Straw

Textiles

Wood, but excluding operation of a planing mill

(b) Photographic developing.

(c) Manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of the following products:

Beverages, but excluding alcoholic beverages

Business Machines

Ceramics, other than handicraft

Clothing and other textile products, other than  
custom clothing

Cosmetics

Electrical and electronic equipment and appliances,  
other than the products listed in Section 2410

Food, but excluding fish, meat, sauerkraut, vinegar,  
and yeast

Furniture and fixtures

Ice

Pens, pencils, and artists' materials

Pharmaceuticals



Pianos and organs  
Small metal tools and products, other than those  
listed in Section 2410  
Sporting and athletic goods  
Tobacco  
Toiletries

SECTION 2414 GENERAL MANUFACTURING ACTIVITIES. General Manufacturing Activities include the following activities. They also include certain activities accessory thereto, as specified in Section 2211.

(a) Manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of articles of merchandise, other than the products listed in Sections 2410, 2411, or 2415, from the following materials:

Chemicals  
Clay  
Glass  
Graphite  
Metal  
Stone

(b) Cotton ginning.

(c) Shipbuilding.

(d) Sugar refining.

(e) Wood planing or sawing.

(f) Wool pulling or scouring.

(g) Manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of the following products:

Aircraft  
Alcoholic beverages  
Asphalt  
Barrels and casks  
Boilers  
Concrete  
Charcoal, lampblack, and fuel briquettes  
Disinfectants  
Dyestuff  
Emery cloth and sandpaper  
Excelsior and packing materials  
Film  
Fish, meat, sauerkraut, vinegar, and yeast  
Heavy machinery and machine tools  
Insect poison  
Matches  
Monuments  
Motor vehicles  
Oil cloth and linoleum  
Paint  
Porcelain  
Salt  
Shoe polish and stove polish

SECTION 2415 HEAVY MANUFACTURING ACTIVITIES. Heavy Manufacturing Activities include the following activities. They also include certain activities accessory thereto, as specified in Section 2211.

(a) Manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of articles of merchandise from the following raw materials:

Bones

Garbage, offal, and dead animals

(b) Fat rendering.

(c) Petroleum refining.

(d) Radioactive material handling.

(e) Stocking or slaughtering of animals.

(f) Storage and distribution of natural and liquid gas and other petroleum derivatives in bulk.

(g) Tanning.

(h) Manufacturing, compounding, processing, assembling, packaging, treatment, or fabrication of the following products:

Acid

Cement, lime, gypsum, and plaster of paris

Explosives

Fertilizer

Gas

Glue

#### Agricultural and Extractive Activity Types

SECTION 2450 GENERAL DESCRIPTION OF AGRICULTURAL AND EXTRACTIVE ACTIVITIES. Agricultural and Extractive Activities include the on-site production of plant and animal products by agricultural methods, and of mineral products by extractive methods. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2460 PLANT NURSERY AGRICULTURAL ACTIVITIES. Plant Nursery Agricultural Activities include the cultivation for sale of horticultural specialties such as flowers, shrubs, and trees, intended for ornamental or landscaping purposes. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2461 CROP AND ANIMAL RAISING AGRICULTURAL ACTIVITIES. Crop and Animal Raising Agricultural Activities include the raising of tree, vine, field, forage, and other plant crops, intended to provide food or fibers, as well as keeping, grazing, or feeding of animals for animal products, animal increase, or value increase. They also include certain activities accessory to the above, as specified in Section 2211.

SECTION 2462 MINING AND QUARRYING EXTRACTIVE ACTIVITIES. Mining and Quarrying Extractive Activities include the extraction of metallic and nonmetallic minerals, including sand and gravel pit operations. They also include certain activities accessory to the above, as specified in Section 2211.



## FACILITY TYPES

### Residential Facility Types

#### SECTION 2550 GENERAL DESCRIPTION OF RESIDENTIAL FACILITIES.

Residential Facilities include living quarters which accommodate or are intended to accommodate Residential Activities. They also include certain facilities accessory to the above, as specified in Section 2221.

#### SECTION 2560 ONE-FAMILY DWELLING RESIDENTIAL FACILITIES.

One-Family Dwelling Residential Facilities include permanently fixed buildings, or those portions thereof, which accommodate or are intended to accommodate Residential Activities and each of which contains one dwelling unit. They also include certain facilities accessory to the above, as specified in Section 2221.

#### SECTION 2561 TWO-FAMILY DWELLING RESIDENTIAL FACILITIES.

Two-Family Dwelling Residential Facilities include permanently fixed buildings, or those portions thereof, which accommodate or are intended to accommodate Residential Activities and each of which contains two dwelling units. They also include certain facilities accessory to the above, as specified in Section 2221.

#### SECTION 2562 MULTI-FAMILY DWELLING RESIDENTIAL FACILITIES.

Multi-Family Dwelling Residential Facilities include permanently fixed buildings, or those portions thereof, which accommodate or are intended to accommodate Residential Activities and each of which contains three or more dwelling units. They also include certain facilities accessory to the above, as specified in Section 2221.

#### SECTION 2566 ROOMING HOUSE RESIDENTIAL FACILITIES.

Rooming House Residential Facilities include permanently fixed buildings, or those portions thereof, which accommodate or are intended to accommodate Residential Activities and each of which contains one or more rooming units. They also include certain facilities accessory to the above, as specified in Section 2221.

#### SECTION 2567 MOBILE HOME RESIDENTIAL FACILITIES.

Mobile Home Residential Facilities include vehicular facilities which accommodate or are intended to accommodate Residential Activities and each of which contains either a dwelling unit or a rooming unit. They also include certain facilities accessory to the above, as specified in Section 2221.

### Nonresidential Facility Types

#### SECTION 2600 GENERAL DESCRIPTION OF NONRESIDENTIAL FACILITIES.

Nonresidential Facilities include principal facilities, or portions

thereof, which accommodate or are intended to accommodate Civic, Commercial, Manufacturing, or Agricultural or Extractive Activities. They also include certain facilities accessory to the above, as specified in Section 2221.

SECTION 2610 ENCLOSED NONRESIDENTIAL FACILITIES. Enclosed Nonresidential Facilities include principal buildings, other than those described in Section 2612, which accommodate or are intended to accommodate Civic, Commercial, Manufacturing, or Agricultural or Extractive Activities and which are separated from adjacent areas on all sides by walls pierced only by windows, vents, or customary entrances and exits. They also include certain facilities accessory to the above, as specified in Section 2221.

SECTION 2611 OPEN NONRESIDENTIAL FACILITIES. Open Nonresidential Facilities include principal facilities, other than those described in Section 2612, which accommodate or are intended to accommodate Civic, Commercial, Manufacturing, or Agricultural or Extractive Activities and which either are unroofed areas or structures, or are buildings which are not separated from adjacent areas on all sides by walls pierced only by windows, vents, or customary entrances and exits. They also include certain facilities accessory to the above, as specified in Section 2221.

SECTION 2612 DRIVE-IN NONRESIDENTIAL FACILITIES. Drive-In Nonresidential Facilities include principal buildings, open areas, and other facilities which accommodate or are intended to accommodate Civic, Commercial, Manufacturing, or Agricultural or Extractive Activities and which are so designed or operated as to enable persons to receive a service or purchase or consume goods while remaining within a motor vehicle. They also include certain facilities accessory to the above, as specified in Section 2221.

### Sign Types

SECTION 2650 GENERAL DESCRIPTION OF SIGNS. Signs are any facilities, whether located inside or outside a building, which are visible from any lot line, and the primary purpose of which is the conveyance of an idea, advertising, endorsement, identification, or information, by means of visual symbols, lettering, illustration, or any other means of directing attention or communicating; and include display surfaces together with such facilities as are utilized in supporting, maintaining, and illuminating the display surfaces.

SECTION 2660 RESIDENTIAL SIGNS. Residential Signs are Signs which give notice of the name or address of Residential Facilities on the same lot or the name or occupation of a resident thereof, or the condition of use of a parking area or other private facility serving a Residential Activity.

SECTION 2661 SPECIAL SIGNS. Special Signs are Signs which serve a temporary or other special function of an emergency, patriotic, religious, or community nature, including official notices and warning Signs posted by a governmental agency; the flag of any nation, state, international organization, or other governmental



agency; memorial plaques, historical tablets, and other commemorative symbols; temporary displays of a patriotic or religious nature; temporary non-structural posters for civic or political campaigns; and non-illuminated, non-verbal religious symbols.

SECTION 2662 DEVELOPMENT SIGNS. Development Signs are temporary Signs which announce the anticipated sale, lease, rental, or character of facilities being constructed or altered, or of facilities or lots in a real estate subdivision development, or which identify persons or firms engaged in the promotion, design, construction, or alteration thereof.

SECTION 2663 REALTY SIGNS. Realty Signs are temporary Signs which pertain to the sale, lease, rental, or display of existing lots or buildings or other facilities.

SECTION 2664 CIVIC SIGNS. Civic Signs are Signs, other than Special Signs, which give notice of the name or services, or other function or operation, of a Civic Activity on the same lot, or the address or conditions of use of a parking area or other facility serving such activity.

SECTION 2667 BUSINESS SIGNS. Business Signs are any of the following:

(a) A Sign directing attention to, or otherwise pertaining to, a commodity, service, business, or profession which is sold, produced, conducted, or offered as one of the major functions of a Commercial, Manufacturing, or Agricultural or Extractive Activity on the same lot.

(b) A Sign, or portion thereof, directing attention to or otherwise pertaining to a commodity or service which is sold, produced, or offered by a Commercial, Manufacturing, or Agricultural or Extractive Activity on the same lot but which does not constitute a major function thereof, whenever:

1. Such Sign is located behind a display window; or
2. Such Sign has a display surface not greater than 12 square feet on any one face; or
3. Such advertising is incidental to a Sign pertaining to a <sup>major</sup> primary function and does not occupy more than one-half of the area of display surface thereof.

(c) A Sign giving notice of the address or conditions of use of a parking area or other facility serving a Commercial, Manufacturing, or Agricultural or Extractive Activity.

SECTION 2668 ADVERTISING SIGNS. Advertising Signs are any of the following:

(a) A Sign directing attention to, or otherwise pertaining to, a commodity, service, business, or profession which is not sold, produced, conducted, or offered by any activity on the same lot.

(b) A Sign directing attention to, or otherwise pertaining to, a commodity or service which is sold, produced, conducted, or offered by a Commercial, Manufacturing, or Agricultural or Extractive Activity on the same lot but which does not constitute a major function thereof, whenever such Sign is not classified as a Business Sign under Section 2667(b).

## REGULATIONS APPLYING IN INDIVIDUAL RESIDENTIAL ZONES

### R-10 ESTATE RESIDENTIAL ZONE REGULATIONS

SECTION 3250 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 3250 through Section 3274, inclusive, shall be known as the R-10 ESTATE RESIDENTIAL ZONE REGULATIONS. The R-10 Zone is intended to create, preserve, and enhance areas for single-family estate living at very low densities in spacious environments, and is typically appropriate to portions of the Oakland hill area. These regulations shall apply in the R-10 Zone.

SECTION 3253 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

- (a) Residential Activities:
  - Permanent
- (b) Civic Activities:
  - Essential Service
  - Limited Child-Care

SECTION 3254 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

- (a) Civic Activities:
  - Community Assembly
  - Community Education
  - Non-Assembly Cultural
  - Administrative
  - Utility and Vehicular
  - Extensive Impact
- (b) Agricultural and Extractive Activities:
  - Plant Nursery
  - Crop and Animal Raising
  - Mining and Quarrying
- (c) Off-street parking serving activities other than those listed above or in Section 3253, subject to the conditions set forth in Section 7011.

SECTION 3255 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

- (a) Residential Facilities:
  - One-Family Dwelling
- (b) Nonresidential Facilities:
  - Enclosed
  - Open



- (c) Signs:  
Residential  
Special  
Development  
Realty  
Civic

SECTION 3256 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

- (a) Signs:  
Business

SECTION 3263 LIMITATIONS ON SIGNS. All Signs shall be subject to the applicable limitations set forth in Section 7040.

SECTION 3264 MINIMUM LOT AREA, WIDTH, AND FRONTAGE. Every lot shall have a minimum lot area of 25,000 square feet and a minimum lot width of 100 feet, except as a lesser area or width is allowed by Section 7050. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 3265 MAXIMUM RESIDENTIAL DENSITY. The maximum density of Residential Facilities shall be one dwelling unit on each lot. Also applicable are the provisions of Section 7032 with respect to additional kitchens for a dwelling unit.

SECTION 3269 MAXIMUM HEIGHT. Except as a greater height is allowed by Sections 7071 and 7075, the maximum height of buildings and other facilities shall be two stories and not exceeding 35 feet. Except as otherwise provided in Section 7075, no accessory building shall exceed 15 feet in height unless a conditional use permit for a greater height is granted pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200. See Section 3263 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards.

3270

SECTION ~~7090~~ MINIMUM YARDS. The following minimum yards shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090. See also Section 7071 for greater yard requirements applying to certain facilities which exceed the general maximum height prescribed in Section 3269.

(a) Front Yard. The minimum front yard depth on every lot shall be 25 feet, except as a lesser depth is allowed by Section 7079 on steep lots.

(b) Side Yard - Street Side of Corner Lot. The minimum side yard width on the street side of every corner lot shall be as prescribed in Section 7080.

(c) Side Yard - Interior Lot Line. The minimum width of the side yard along any single interior side lot line of any lot shall be six feet. The minimum combined width of both such side yards shall be 20 percent of the lot width.

(d) Rear Yard. The minimum rear yard depth on every lot shall be 35 feet, except as a lesser depth is allowed by Section 7086.

SECTION 3272 BUFFERING. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

SECTION 3274 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Home Occupations. Home occupations shall be subject to the applicable provisions of the HOME OCCUPATION REGULATIONS at Section 7300.

(c) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(d) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the R-10 Zone.



## R-20 LOW DENSITY RESIDENTIAL ZONE REGULATIONS

SECTION 3350 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 3350 through Section 3374, inclusive, shall be known as the R-20 LOW DENSITY RESIDENTIAL ZONE REGULATIONS. The R-20 Zone is intended to create, preserve, and enhance areas for single-family dwellings at low densities in spacious environments, and is typically appropriate to portions of the Oakland hill area. These regulations shall apply in the R-20 Zone.

SECTION 3353 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Activities:

Permanent

(b) Civic Activities:

Essential Service

Limited Child-Care

SECTION 3354 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Civic Activities:

Community Assembly

Community Education

Non-Assembly Cultural

Administrative

Utility and Vehicular

Extensive Impact

(b) Agricultural and Extractive Activities:

Plant Nursery

Crop and Animal Raising

Mining and Quarrying

(c) Off-street parking serving activities other than those listed above or in Section 3353, subject to the conditions set forth in Section 7011.

SECTION 3355 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Facilities:

One-Family Dwelling

(b) Nonresidential Facilities:

Enclosed

Open

(c) Signs:

Residential

Special

Development

Realty

Civic

SECTION 3356 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Signs:

Business

SECTION 3363 LIMITATIONS ON SIGNS. All Signs shall be subject to the applicable limitations set forth in Section 7040.

SECTION 3364 MINIMUM LOT AREA, WIDTH, AND FRONTAGE. Every lot shall have a minimum lot area of 12,000 square feet and a minimum lot width of 90 feet, except as a lesser area or width is allowed by Section 7050 and except as provided hereafter in this section. Whenever land is divided in such a way that the Real Estate Subdivision Regulations apply, the minimum average lot area of all lots intended for improvement within the subdivision shall be 12,000 square feet; the minimum average lot width of all such lots shall be 90 feet; the minimum lot area of any individual lot within the subdivision shall be 10,000 square feet; and the minimum lot width of any individual lot within the subdivision shall be 75 feet. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 3365 MAXIMUM RESIDENTIAL DENSITY. The maximum density of Residential Facilities shall be one dwelling unit on each lot. Also applicable are the provisions of Section 7032 with respect to additional kitchens for a dwelling unit.

SECTION 3369 MAXIMUM HEIGHT. Except as a greater height is allowed by Sections 7071 and 7075, the maximum height of buildings and other facilities shall be two stories and not exceeding 35 feet. Except as otherwise provided in Section 7075, no accessory building shall exceed 15 feet in height unless a conditional use permit for a greater height is granted pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200. See Section 3363 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards.

SECTION 3370 MINIMUM YARDS. The following minimum yards shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090. See also Section 7071 for greater yard requirements applying to certain facilities which exceed the general maximum height prescribed in Section 3369.

(a) Front Yard. The minimum front yard depth on every lot shall be 20 feet, except as a lesser depth is allowed by Section 7079 on steep lots.

(b) Side Yard - Street Side of Corner Lot. The minimum side yard width on the street side of every corner lot shall be as prescribed in Section 7080.



(c) Side Yard - Interior Lot Line. The minimum width of the side yard along any single interior side lot line of any lot shall be six feet. The minimum combined width of both such side yards shall be 20 percent of the lot width.

(d) Rear Yard. The minimum rear yard depth on every lot shall be 25 feet, except as a lesser depth is allowed by Section 7086.

SECTION 3372 BUFFERING. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

SECTION 3374 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Home Occupations. Home occupations shall be subject to the applicable provisions of the HOME OCCUPATION REGULATIONS at Section 7300.

(c) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(d) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the R-20 Zone.

## R-30 ONE-FAMILY RESIDENTIAL ZONE REGULATIONS

SECTION 3450 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 3450 through Section 3474, inclusive, shall be known as the R-30 ONE-FAMILY RESIDENTIAL ZONE REGULATIONS. The R-30 Zone is intended to create, preserve, and enhance areas for single-family dwellings in desirable settings for urban living, and is typically appropriate to already developed lower density dwelling areas of the City. These regulations shall apply in the R-30 Zone.

SECTION 3453 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Activities:

Permanent

(b) Civic Activities:

Essential Service

Limited Child-Care

SECTION 3454 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Civic Activities:

Community Assembly

Community Education

Non-Assembly Cultural

Administrative

Utility and Vehicular

Extensive Impact

(b) Agricultural and Extractive Activities:

Plant Nursery

Crop and Animal Raising

Mining and Quarrying

(c) Off-street parking serving activities other than those listed above or in Section 3453, subject to the conditions set forth in Section 7011.

SECTION 3455 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Residential Facilities:

One-Family Dwelling

(b) Nonresidential Facilities:

Enclosed

Open

(c) Signs:

Residential

Special

Development

Realty

Civic



SECTION 3456 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Signs:

Business

SECTION 3463 LIMITATIONS ON SIGNS. All Signs shall be subject to the applicable limitations set forth in Section 7040.

SECTION 3464 MINIMUM LOT AREA, WIDTH, AND FRONTAGE. Every lot shall have a minimum lot area of 5,000 square feet and a minimum lot width of 45 feet, except as a lesser area or width is allowed by Section 7050. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 3465 MAXIMUM RESIDENTIAL DENSITY. The maximum density of Residential Facilities shall be one dwelling unit on each lot. Also applicable are the provisions of Section 7032 with respect to additional kitchens for a dwelling unit.

SECTION 3469 MAXIMUM HEIGHT. Except as a greater height is allowed by Sections 7071 and 7075, the maximum height of buildings and other facilities shall be two stories and not exceeding 35 feet. Except as otherwise provided in Section 7075, no accessory building shall exceed 15 feet in height unless a conditional use permit for a greater height is granted pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200. See Section 3463 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards.

SECTION 3470 MINIMUM YARDS. The following minimum yards shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090. See also Section 7071 for greater yard requirements applying to certain facilities which exceed the general maximum height prescribed in Section 3469.

(a) Front Yard. The minimum front yard depth on every lot shall be 20 feet, except as a lesser depth is allowed by Section 7079 on steep lots.

(b) Side Yard - Street Side of Corner Lot. The minimum side yard width on the street side of every corner lot shall be as prescribed in Section 7080.

(c) Side Yard - Interior Lot Line. The minimum side yard width along each interior side lot line of every lot shall be 10 percent of the lot width, provided, however, that no such side yard shall be less than three feet in width nor be required to exceed 15 feet in width.

(d) Rear Yard. The minimum rear yard depth on every lot shall be 20 percent of the lot depth, except as a lesser depth is allowed by Section 7086; provided, however, that no rear yard shall be less than 15 feet in depth except pursuant to Section 7086, nor be required to exceed 25 feet in depth.

SECTION 3472 BUFFERING. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7300 with

respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

SECTION 3473 SPECIAL REGULATIONS FOR LARGE DEVELOPMENTS.

Large, integrated developments shall be subject to the PLANNED UNIT DEVELOPMENT REGULATIONS at Section 7800 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain of the regulations otherwise applying in the R-30 Zone may be waived or modified.

SECTION 3474 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Home Occupations. Home occupations shall be subject to the applicable provisions of the HOME OCCUPATION REGULATIONS at Section 7300.

(c) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(d) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the R-30 Zone.



## R-40 GARDEN APARTMENT RESIDENTIAL ZONE REGULATIONS

SECTION 3600 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 3600 through Section 3624, inclusive, shall be known as the R-40 GARDEN APARTMENT RESIDENTIAL ZONE REGULATIONS. The R-40 Zone is intended to create, preserve, and enhance areas containing a mixture of single- or two-family dwellings and garden apartments in spacious settings for urban living, and is typically appropriate to attractive areas of existing lower medium density residential development. These regulations shall apply in the R-40 Zone.

SECTION 3603 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Activities:

Permanent

(b) Civic Activities:

Essential Service

Limited Child-Care

SECTION 3604 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Civic Activities:

Nursing Home

Community Assembly

Community Education

Non-Assembly Cultural

Administrative

Health Care

Utility and Vehicular

Extensive Impact

(b) Agricultural and Extractive Activities:

Plant Nursery

Crop and Animal Raising

Mining and Quarrying

(c) Off-street parking serving activities other than those listed above or in Section 3603, subject to the conditions set forth in Section 7011.

SECTION 3605 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Facilities:

One-Family Dwelling

Two-Family Dwelling

(b) Nonresidential Facilities:

Enclosed

Open

(c) Signs:

Residential

Special

Development

Realty

Civic

SECTION 3606 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Residential Facilities:

Multi-Family Dwelling

(b) Signs:

Business

SECTION 3613 LIMITATIONS ON SIGNS. All Signs shall be subject to the applicable limitations set forth in Section 7040.

SECTION 3614 MINIMUM LOT AREA, WIDTH, AND FRONTAGE. Every lot shall have a minimum lot area of 5,000 square feet and a minimum lot width of 45 feet, except as a lesser area or width is allowed by Section 7050. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 3615 MAXIMUM RESIDENTIAL DENSITY. The maximum density of Residential Facilities shall be as set forth below. Also applicable are the provisions of Section 7032 with respect to additional kitchens for a dwelling unit.

(a) Permitted Density. Two dwelling units are permitted on each lot having a total lot area of 5,000 square feet or more. One dwelling unit is permitted on a lot which has less than 5,000 square feet of lot area but which qualifies under Section 7050 as an existing buildable parcel.

(b) Conditionally Permitted Density. Three or more dwelling units may be permitted on a lot, upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, if the total lot area is not less than 2,500 square feet for each dwelling unit.

SECTION 3616 USE PERMIT CRITERIA FOR MORE THAN TWO DWELLING UNITS. A conditional use permit for a Multi-Family Dwelling Residential Facility or for more than two dwelling units on a lot may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the CONDITIONAL USE PERMIT PROCEDURE at Section 9200 and to all of the following use permit criteria:

(a) That the proposed development will not adversely affect adjoining property, nor the surrounding neighborhood, with consideration to be given to density; to the availability of neighborhood facilities and play space; to the generation of traffic and the capacity of surrounding streets; and to all other similar, relevant factors.

(b) That the site design and landscaping and the scale, height, length and width, bulk, coverage, and exterior treatment of structures are in harmony with neighborhood character and with facilities on nearby lots.



(c) That the shape and siting of the facilities, and especially of any portions thereof which exceed one story in height, are such as to minimize blocking of views and direct sunlight from nearby lots and from other Residential Facilities in the surrounding neighborhood.

(d) That the design and site planning of the buildings, open areas, parking and service areas, and other facilities provide a convenient, attractive, and functional living environment; and that paths, stairways, accessways, and corridors are so designed as to ensure privacy.

(e) That lot shape, size, and dimensions allow a development which will provide satisfactory internal living conditions without adversely affecting the privacy, safety, or residential amenity of adjacent residences.

SECTION 3619 MAXIMUM HEIGHT. Except as a greater height is allowed by Sections 7071 and 7075, the maximum height of buildings and other facilities shall be two stories and not exceeding 35 feet in height. Except as otherwise provided in Section 7075, no accessory building shall exceed 15 feet in height unless a conditional use permit for a greater height is granted pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200. See Section 3613 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards and courts.

SECTION 3620 MINIMUM YARDS AND COURTS. The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090. See also Section 7071 for greater yard requirements applying to certain facilities which exceed the general maximum height prescribed in Section 3619.

(a) Front Yard. The minimum front yard depth on every lot shall be 20 feet, except as a lesser depth is allowed by Section 7079 on steep lots.

(b) Side Yard - Street Side of Corner Lot. The minimum side yard width on the street side of every corner lot shall be as prescribed in Section 7080.

(c) Side Yard - Interior Lot Line.

1. The minimum side yard width along each interior side lot line of every lot shall be 10 percent of the lot width, provided, however, that no such side yard shall be less than three feet in width nor be required to exceed 15 feet in width.

2. A side yard with a width greater than that required by Section 3620(c)1 shall be provided, when and as prescribed in Section 7082, opposite a living room window which faces an interior side lot line and which is located on a lot containing Residential Facilities with a total of two or more living units.

(d) Rear Yard. The minimum rear yard depth on every lot shall be 15 feet, except as a lesser depth is allowed by Section 7086.

(d) Courts. On each lot containing Residential Facilities with a total of two or more living units, courts shall be provided when and as required by Section 7087.

SECTION 3621 MINIMUM USABLE OPEN SPACE. On each lot containing Residential Facilities with a total of two or more living units, group usable open space shall be provided in the minimum amount of 300 square feet per dwelling unit. Private usable open space may be substituted for such group space in the ratio prescribed in Section 8301, except that actual group space shall be provided in the minimum amount of 100 square feet per dwelling unit. On each such lot, some private usable open space shall be provided with each individual dwelling unit. All required space shall conform to the STANDARDS FOR REQUIRED USABLE OPEN SPACE at Section 8300.

SECTION 3622 BUFFERING. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7300 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

SECTION 3623 SPECIAL REGULATIONS FOR LARGE DEVELOPMENTS. Large, integrated developments shall be subject to the PLANNED UNIT DEVELOPMENT REGULATIONS at Section 7800 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the R-40 Zone and certain of the other regulations applying in said zone may be waived or modified.

SECTION 3624 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Home Occupations. Home occupations shall be subject to the applicable provisions of the HOME OCCUPATION REGULATIONS at Section 7300.

(c) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(d) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the R-40 Zone.



## R-50 MEDIUM DENSITY RESIDENTIAL ZONE REGULATIONS

SECTION 3650 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 3650 through Section 3674, inclusive, shall be known as the R-50 MEDIUM DENSITY RESIDENTIAL ZONE REGULATIONS. The R-50 Zone is intended to create, preserve, and enhance areas for apartment living at medium densities in desirable settings, and is typically appropriate to areas of existing medium density residential development. These regulations shall apply in the R-50 Zone.

SECTION 3653 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

- (a) Residential Activities:
  - Permanent
- (b) Civic Activities:
  - Essential Service
  - Limited Child-Care

SECTION 3654 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

- (a) Civic Activities:
  - Nursing Home
  - Community Assembly
  - Community Education
  - Non-Assembly Cultural
  - Administrative
  - Health Care
  - Utility and Vehicular
  - Extensive Impact
- (b) Agricultural and Extractive Activities:
  - Plant Nursery
  - Crop and Animal Raising
  - Mining and Quarrying
- (c) Off-street parking serving activities other than those listed above or in Section 3653, subject to the conditions set forth in Section 7011.

SECTION 3655 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

- (a) Residential Facilities:
  - One-Family Dwelling
  - Two-Family Dwelling
  - Multi-Family Dwelling
- (b) Nonresidential Facilities:
  - Enclosed
  - Open
- (c) Signs:
  - Residential
  - Special
  - Development
  - Realty
  - Civic

SECTION 3656 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Signs:

Business

SECTION 3663 LIMITATIONS ON SIGNS. All Signs shall be subject to the applicable limitations set forth in Section 7040.

SECTION 3664 MINIMUM LOT AREA, WIDTH, AND FRONTAGE. Every lot shall have a minimum lot area of 4,000 square feet and a minimum lot width of 25 feet, except as a lesser area or width is allowed by Section 7050. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 3665 MAXIMUM RESIDENTIAL DENSITY. The maximum density of Residential Facilities shall be as set forth below. Also applicable are the provisions of Section 7032 with respect to additional kitchens for a dwelling unit.

(a) Permitted Density. The numbers of dwelling units indicated in the following table are permitted on lots of the specified sizes:

<u>Total Lot Area</u>	<u>Permitted Total Number of Dwelling Units</u>
Less than 4,000 square feet, but only in the case of a lot which qualifies under Section 7050 as an existing buildable parcel	One dwelling unit.
4,000-4,499 square feet	Two dwelling units.
4,500-4,999 square feet	Three dwelling units.
5,000-6,999 square feet	Four dwelling units.
7,000-8,499 square feet	Five dwelling units.
8,500 or more square feet	Six dwelling units.

(b) Conditionally Permitted Density. On any lot with 10,000 square feet or more of lot area the density of Residential Facilities may, upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, be increased to not to exceed one dwelling unit for each 1,500 square feet of lot area, provided that an extra dwelling unit may be permitted if a remainder of 1,000 square feet or more is obtained after division of the lot area by 1,500 square feet.

SECTION 3666 USE PERMIT CRITERIA FOR MORE THAN SIX DWELLING UNITS. A conditional use permit for more than six dwelling units on a lot may be granted only upon determination that the proposed development conforms to the general use permit criteria set forth in the CONDITIONAL USE PERMIT PROCEDURE at Section 9200 and to all of the following use permit criteria:



(a) That the proposed development will not adversely affect adjoining property, nor the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of neighborhood facilities and play space; to the effect of the development upon neighborhood character; to the generation of traffic and the capacity of surrounding streets; and to all other similar, relevant factors.

(b) That the design and site planning of the buildings, open spaces, parking and service areas, and other facilities provide a convenient, attractive, and functional living environment; and that paths, stairways, accessways, and corridors are so designed and located as to ensure privacy.

(c) That lot shape, size, and dimensions allow a development which will provide satisfactory internal living conditions without adversely affecting the privacy, safety, or residential amenity of adjacent residences.

SECTION 3669 MAXIMUM HEIGHT. Except as a greater height is allowed by Sections 7071 and 7075, the maximum height of buildings and other facilities shall be two stories and not exceeding 35 feet. Except as otherwise provided in Section 7075, no accessory building shall exceed 15 feet in height unless a conditional use permit for a greater height is granted pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200. See Section 3663 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards and courts.

SECTION 3670 MINIMUM YARDS AND COURTS. The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090. See also Section 7071 for greater yard requirements applying to certain facilities which exceed the general maximum height prescribed in Section 3669.

(a) Front Yard. The minimum front yard depth on every lot shall be 15 feet, except as a lesser depth is allowed by Section 7079 on steep lots.

(b) Side Yard - Street Side of Corner Lot. The minimum side yard width on the street side of every corner lot shall be as prescribed in Section 7080.

(c) Side Yard - Interior Lot Line.

1. The minimum side yard width along each interior side lot line of every lot shall be 10 percent of the lot width, provided, however, that no such side yard shall be less than three feet in width nor be required to exceed 15 feet in width.

2. A side yard with a width greater than that required by Section 3670(c)1 shall be provided, when and as prescribed in Section 7082, opposite a living room window which faces an interior side lot line and which is located on a lot containing Residential Facilities with a total of two or more living units.

(d) Rear Yard. The minimum rear yard depth on every lot shall be 15 feet, except as a lesser depth is allowed by Section 7086.

(e) Courts. On each lot containing Residential Facilities with a total of two or more living units, courts shall be provided when and

as required by Section 7087.

SECTION 3671 MINIMUM USABLE OPEN SPACE. On each lot containing Residential Facilities with a total of two or more living units, group usable open space shall be provided for such facilities in the minimum amount of 200 square feet per dwelling unit. Private usable open space may be substituted for such group space in the ratio prescribed in Section 8301, except that actual group space shall be provided in the minimum amount of 75 square feet per dwelling unit. All required space shall conform to the STANDARDS FOR REQUIRED USABLE OPEN SPACE at Section 8300.

SECTION 3672 BUFFERING. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

SECTION 3673 SPECIAL REGULATIONS FOR LARGE DEVELOPMENTS. Large, integrated developments shall be subject to the PLANNED UNIT DEVELOPMENT REGULATIONS at Section 7800 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the R-50 Zone and certain of the other regulations applying in said zone may be waived or modified.

SECTION 3674 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Home Occupations. Home occupations shall be subject to the applicable provisions of the HOME OCCUPATION REGULATIONS at Section 7300.

(c) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(d) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the R-50 Zone.



## R-60 MEDIUM-HIGH DENSITY RESIDENTIAL ZONE REGULATIONS

SECTION 3750 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 3750 through Section 3774, inclusive, shall be known as the R-60 MEDIUM-HIGH DENSITY RESIDENTIAL ZONE REGULATIONS. The R-60 Zone is intended to create, preserve, and enhance areas for apartment living at relatively high densities in desirable settings, and is typically appropriate to areas having good accessibility to transportation routes and shopping and community centers. These regulations shall apply in the R-60 Zone.

SECTION 3753 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Activities:

Permanent

(b) Civic Activities:

Essential Service

Limited Child-Care

Nursing Home

Community Assembly

Community Education

Non-Assembly Cultural

SECTION 3754 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Civic Activities:

Administrative

Health Care

Utility and Vehicular

Extensive Impact

(b) Off-street parking serving activities other than those listed above or in Section 3753, subject to the conditions set forth in Section 7011.

SECTION 3755 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Facilities:

One-Family Dwelling

Two-Family Dwelling

Multi-Family Dwelling

(b) Nonresidential Facilities:

Enclosed

Open

(c) Signs:

Residential

Special

Development

Realty

Civic

SECTION 3756 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Residential Facilities:

Rooming House

(b) Business Signs related to parking described in Section 3754(b).

SECTION 3763 LIMITATIONS ON SIGNS. All Signs shall be subject to the applicable limitations set forth in Section 7040.

SECTION 3764 MINIMUM LOT AREA, WIDTH, AND FRONTAGE. Every lot shall have a minimum lot area of 4,000 square feet and a minimum lot width of 25 feet, except as a lesser area or width is allowed by Section 7050. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 3765 MAXIMUM RESIDENTIAL DENSITY. The maximum density of Residential Facilities shall be as set forth below, subject to the provisions of Section 7053 with respect to maximum density on lots containing both Residential and Nonresidential Facilities. Also applicable are the provisions of Section 7032 with respect to additional kitchens for a dwelling unit.

(a) Basic Density. One regular dwelling unit is permitted for each 800 square feet of lot area, provided that one extra such unit is permitted if a remainder of 550 square feet or more is obtained after division of the lot area by 800 square feet. One efficiency dwelling unit is permitted for each 550 square feet of lot area, provided that one extra such unit is permitted if a remainder of 400 square feet or more is obtained after division of the lot area by 550 square feet. The maximum number of rooming units shall be one for each 400 square feet of lot area, plus one extra such unit if a remainder of 275 square feet or more is obtained after division of the lot area by 400 square feet. For a combination of different types of living units, the total required lot area shall be the sum of the above requirements for each. The number of living units allowed heretofore may be exceeded by 10 percent on any corner lot, and may also be exceeded by 10 percent on any lot which faces or abuts a public park at least as wide as the lot.

(b) Density Bonus. The number of living units allowed by subsection (a) may be increased by not to exceed 50 percent upon the acquisition of development rights from nearby lots and the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, subject to the provisions of Section 7058.

SECTION 3767 MAXIMUM NONRESIDENTIAL FLOOR-AREA RATIO. The maximum floor-area ratio of Nonresidential Facilities shall be as set forth below, subject to the provisions of Section 7053 with respect to maximum floor-area ratio on lots containing both Residential and Nonresidential Facilities:

(a) Permitted Floor-Area Ratio. The maximum permitted floor-area ratio is 1.50, except that this ratio may be exceeded by 10



percent on any corner lot and may also be exceeded by 10 percent on any lot which faces or abuts a public park at least as wide as the lot.

(b) Conditionally Permitted Floor-Area Ratio. The floor-area ratio permitted by subsection (a) may be increased by not to exceed 50 percent upon the acquisition of development rights from nearby lots and the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, subject to the provisions of Section 7058.

#### SECTION 3769 MAXIMUM HEIGHT.

(a) General Provisions. Except for the vertical projections allowed by Section 7075, no building or other facility shall exceed 40 feet in height unless such building or other facility, or that portion thereof which exceeds 40 feet in height, is:

1. Set back from the inner line of each of the minimum side yards required by Section 3770(c)1 a minimum horizontal distance equal to one foot for each four feet by which it exceeds 40 feet in height; and
2. Set back from the inner line of the minimum rear yard required by Section 3770(d) a minimum horizontal distance equal to one foot for each two feet by which it exceeds 40 feet in height, provided, however, that such setback from the inner line of the minimum rear yard need not exceed 40 feet.

(b) Other Provisions. See Section 3763 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards and courts.

SECTION 3770 MINIMUM YARDS AND COURTS. The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090:

(a) Front Yard. The minimum front yard depth on every lot shall be 10 feet, except as a lesser depth is allowed by Section 7079 on steep lots.

(b) Side Yard - Street Side of Corner Lot. The minimum side yard width on the street side of every corner lot shall be five feet, except as a greater width is required by Section 7080.

(c) Side Yard - Interior Lot Line.

1. The minimum side yard width along each interior side lot line of every lot shall be 10 percent of the lot width, provided, however, that no such side yard shall be less than three feet in width nor be required to exceed 15 feet in width.
2. A side yard with a width greater than that required by Section 3770(c)1 shall be provided, when and as prescribed in Section 7082, opposite a living room window which faces an interior side lot line and which is located on a lot containing Residential Facilities with a total of two or more living units.

(d) Rear Yard. The minimum rear yard depth on every lot shall be 10 feet, except as a lesser depth is allowed by Section 7086.

(e) Courts. On each lot containing Residential Facilities with a total of two or more living units, courts shall be provided when and as required by Section 7087.

SECTION 3771 MINIMUM USABLE OPEN SPACE. On each lot containing Residential Facilities with a total of two or more living units, group usable open space shall be provided for such facilities in the minimum amount of 200 square feet per regular dwelling unit plus 130 square feet per efficiency dwelling unit plus 100 square feet per rooming unit. Private usable open space may be substituted for such group space in the ratio prescribed in Section 8301, except that actual group space shall be provided in the minimum amount of 30 square feet per regular dwelling unit plus 20 square feet per efficiency dwelling unit plus 15 square feet per rooming unit. All required space shall conform to the STANDARDS FOR REQUIRED USABLE OPEN SPACE at Section 8300.

SECTION 3772 BUFFERING. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

SECTION 3773 SPECIAL REGULATIONS FOR LARGE DEVELOPMENTS. Large, integrated developments shall be subject to the PLANNED UNIT DEVELOPMENT REGULATIONS at Section 7800 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the R-60 Zone and certain of the other regulations applying in said zone may be waived or modified.

SECTION 3774 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Home Occupations. Home occupations shall be subject to the applicable provisions of the HOME OCCUPATION REGULATIONS at Section 7300.

(c) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(d) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the R-60 Zone.



## R-70 HIGH DENSITY RESIDENTIAL ZONE REGULATIONS

SECTION 3800 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 3800 through Section 3824, inclusive, shall be known as the R-70 HIGH DENSITY RESIDENTIAL ZONE REGULATIONS. The R-70 Zone is intended to create, preserve, and enhance areas for apartment living at high densities in desirable settings, and is typically appropriate to areas having good accessibility to transportation routes and major shopping and community centers. These regulations shall apply in the R-70 Zone.

SECTION 3803 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Activities:

Permanent

(b) Civic Activities:

Essential Service

Limited Child-Care

Nursing Home

Community Assembly

Community Education

Non-Assembly Cultural

SECTION 3804 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Civic Activities:

Administrative

Health Care

Utility and Vehicular

Extensive Impact

(b) Off-street parking serving activities other than those listed above or in Section 3803, subject to the conditions set forth in Section 7011.

SECTION 3805 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Facilities:

One-Family Dwelling

Two-Family Dwelling

Multi-Family Dwelling

(b) Nonresidential Facilities:

Enclosed

Open

(c) Signs:

Residential

Special

Development

Realty

Civic

SECTION 3806 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Residential Facilities:

Rooming House

(b) Business Signs related to parking described in Section 3804(b).

SECTION 3813 LIMITATIONS ON SIGNS. All Signs shall be subject to the applicable limitations set forth in Section 7040.

SECTION 3814 MINIMUM LOT AREA, WIDTH, AND FRONTAGE. Every lot shall have a minimum lot area of 4,000 square feet and a minimum lot width of 25 feet, except as a lesser area or width is allowed by Section 7050. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 3815 MAXIMUM RESIDENTIAL DENSITY. The maximum density of Residential Facilities shall be as set forth below, subject to the provisions of Section 7053 with respect to maximum density on lots containing both Residential and Nonresidential Facilities. Also applicable are the provisions of Section 7032 with respect to additional kitchens for a dwelling unit.

(a) Basic Density. One regular dwelling unit is permitted for each 450 square feet of lot area, provided that one extra such unit is permitted if a remainder of 300 square feet or more is obtained after division of the lot area by 450 square feet. One efficiency dwelling unit is permitted for each 300 square feet of lot area, provided that one extra such unit is permitted if a remainder of 225 square feet or more is obtained after division of the lot area by 300 square feet. The maximum number of rooming units shall be one for each 225 square feet of lot area, plus one extra such unit if a remainder of 150 square feet or more is obtained after division of the lot area by 225 square feet. For a combination of different types of living units, the total required lot area shall be the sum of the above requirements for each. The number of living units allowed heretofore may be exceeded by 10 percent on any corner lot, and may also be exceeded by 10 percent on any lot which faces or abuts a public park at least as wide as the lot.

(b) Density Bonuses. The number of living units allowed by subsection (a) may be increased by not to exceed 50 percent upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, in each of the following situations:

1. In the case of a Residential Facility with more than four stories containing living units, subject to the provisions of Section 7057.
2. Upon the acquisition of development rights from nearby lots, subject to the provisions of Section 7058.



SECTION 3817 MAXIMUM NONRESIDENTIAL FLOOR-AREA RATIO. The maximum floor-area ratio of Nonresidential Facilities shall be as set forth below, subject to the provisions of Section 7053 with respect to maximum floor-area ratio on lots containing both Residential and Nonresidential Facilities:

(a) Permitted Floor-Area Ratio. The maximum permitted floor-area ratio is 2.25, except that this ratio may be exceeded by 10 percent on any corner lot and may also be exceeded by 10 percent on any lot which faces or abuts a public park at least as wide as the lot.

(b) Conditionally Permitted Floor-Area Ratio. The floor-area ratio permitted by subsection (a) may be increased by not to exceed 50 percent upon the acquisition of development rights from nearby lots and the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, subject to the provisions of Section 7058.

SECTION 3819 MAXIMUM HEIGHT.

(a) General Provisions. Except for the vertical projections allowed by Section 7075, no building or other facility shall exceed 40 feet in height unless such building or other facility, or that portion thereof which exceeds 40 feet in height, is:

1. Set back from the inner line of each of the minimum side yards, if any, required by Sections 3820(c)1 and 3820(c)3 a minimum horizontal distance equal to one foot for each four feet by which it exceeds 40 feet in height; and
2. Set back from the inner line of the minimum rear yard required by Section 3820(d) a minimum horizontal distance equal to one foot for each two feet by which it exceeds 40 feet in height, provided, however, that such setback from the inner line of the minimum rear yard need not exceed 40 feet.

(b) Other Provisions. See Section 3813 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards and courts.

SECTION 3820 MINIMUM YARDS AND COURTS. The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090:

(a) Front Yard. The minimum front yard depth on every lot shall be 10 feet, except as a lesser depth is allowed by Section 7079 on steep lots.

(b) Side Yard - Street Side of Corner Lot. The minimum side yard width on the street side of every corner lot shall be five feet, except as a greater width is required by Section 7080.

(c) Side Yard - Interior Lot Line. No side yard is generally required along an interior side lot line except as follows:

1. A side yard with a minimum width of five feet shall be provided opposite any legally required window of any habitable room in a Residential Facility, which window faces an interior side lot line. Such side yard shall be provided opposite such window and along the wall containing the window for not less than 10 feet in each direction from the center line thereof, and at and above the level of the story containing the window.
2. A side yard with a width greater than that required by Section 3820(c)1 shall be provided, when and as prescribed in Section 7082, opposite any living room window which faces an interior side lot line and which is located on any lot containing Residential Facilities with a total of two or more living units.
3. A side yard shall be provided, as prescribed in Section 7083, along an interior side lot line lying along a boundary of any of certain other zones.

(d) Rear Yard. The minimum rear yard depth on every lot shall be 10 feet, except as a lesser depth is allowed by Section 7086.

(e) Courts. On each lot containing Residential Facilities with a total of two or more living units, courts shall be provided when and as required by Section 7087.

SECTION 3821 MINIMUM USABLE OPEN SPACE. On each lot containing Residential Facilities with a total of two or more living units, group usable open space shall be provided for such facilities in the minimum amount of 150 square feet per regular dwelling unit plus 100 square feet per efficiency dwelling unit plus 75 square feet per rooming unit. Private usable open space may be substituted for such group space in the ratio prescribed in Section 8301, except that actual group space shall be provided in the minimum amount of 30 square feet per regular dwelling unit plus 20 square feet per efficiency dwelling unit plus 15 square feet per rooming unit. All required space shall conform to the STANDARDS FOR REQUIRED USABLE OPEN SPACE at Section 8300.

SECTION 3822 BUFFERING. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

SECTION 3823 SPECIAL REGULATIONS FOR LARGE DEVELOPMENTS. Large, integrated developments shall be subject to the PLANNED UNIT DEVELOPMENT REGULATIONS at Section 7800 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the R-70 Zone and certain of the other regulations applying in said zone may be waived or modified.



SECTION 3824 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Home Occupations. Home occupations shall be subject to the applicable provisions of the HOME OCCUPATION REGULATIONS at Section 7300.

(c) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(d) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the R-70 Zone.

## R-80 HIGH-RISE APARTMENT RESIDENTIAL ZONE REGULATIONS

SECTION 3850 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 3850 through Section 3874, inclusive, shall be known as the R-80 High-Rise Apartment Residential Zone Regulations. The R-80 Zone is intended to create, preserve, and enhance areas for high-rise apartment living at high densities in desirable settings, and is typically appropriate to areas near major shopping and community centers and rapid transit stations. These regulations shall apply in the R-80 Zone.

SECTION 3853 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Activities:

- Permanent
- Semi-Transient

(b) Civic Activities:

- Essential Service
- Limited Child-Care
- Nursing Home
- Community Assembly
- Community Education
- Non-Assembly Cultural

SECTION 3854 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Civic Activities:

- Administrative
- Health Care
- Utility and Vehicular
- Extensive Impact

(b) Commercial Activities:

- Food Sales and Service
- Convenience Sales and Service
- Medical Service

(c) Off-street parking serving activities other than those listed above or in Section 3853, subject to the conditions set forth in Section 7011.

SECTION 3855 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Facilities:

- One-Family Dwelling
- Two-Family Dwelling
- Multi-Family Dwelling
- Rooming House

(b) Nonresidential Facilities:

- Enclosed
- Open



- (c) Signs:  
Residential  
Special  
Development  
Realty  
Civic

SECTION 3856 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

- (a) Signs:  
Business

SECTION 3858 SPECIAL REGULATIONS APPLYING TO CERTAIN COMMERCIAL ACTIVITIES. All Food Sales and Service and Convenience Sales and Service Commercial Activities shall, except for off-street parking and loading and maintenance of accessory landscaping and screening, be conducted entirely within enclosed portions of Multi-Family Dwelling or Rooming House Residential Facilities, with customer access only through the lobby of such a facility. The maximum floor area devoted to such activities by any single establishment shall be 1,500 square feet. No Business Signs or display windows shall be provided for such activities.

SECTION 3860 PERFORMANCE STANDARDS FOR COMMERCIAL ACTIVITIES. All Commercial Activities shall be subject to the applicable provisions of the PERFORMANCE STANDARDS at Section 7700.

SECTION 3861 USE PERMIT CRITERIA FOR COMMERCIAL ACTIVITIES. A conditional use permit for Food Sales and Service or Convenience Sales and Service Commercial Activities may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, and that the proposed activities are intended primarily to serve residents of the facility within which the activities are to be located.

SECTION 3863 LIMITATIONS ON SIGNS. All Signs shall be subject to the applicable limitations set forth in Section 7040.

SECTION 3864 MINIMUM LOT AREA, WIDTH, AND FRONTAGE. Every lot shall have a minimum lot area of 4,000 square feet and a minimum lot width of 25 feet, except as a lesser area or width is allowed by Section 7050. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 3865 MAXIMUM RESIDENTIAL DENSITY. The maximum density of Residential Facilities shall be as set forth below, subject to the provisions of Section 7053 with respect to maximum density on lots containing both Residential and Nonresidential Facilities. Also applicable are the provisions of Section 7032 with respect to additional kitchens for a dwelling unit.

(a) Permitted Density. One regular dwelling unit is permitted for each 300 square feet of lot area, provided that one extra such unit is permitted if a remainder of 200 square feet or more is obtained after division of the lot area by 300 square feet. One

efficiency dwelling unit is permitted for each 200 square feet of lot area, provided that one extra such unit is permitted if a remainder of 150 square feet or more is obtained after division



of the lot area by 150 square feet. One rooming unit is permitted for each 150 square feet of lot area, provided that one extra such unit is permitted if a remainder of 100 square feet or more is obtained after division of the lot area by 150 square feet. For a combination of different types of living units, the total required lot area shall be the sum of the above requirements for each. The number of living units permitted heretofore may be exceeded by 10 percent on any corner lot, and may also be exceeded by 10 percent on any lot which faces or abuts a public park at least as wide as the lot.

(b) Conditionally Permitted Density. The number of living units permitted by subsection (a) may be increased by not to exceed 50 percent upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, in each of the following situations:

1. In the case of a Residential Facility with more than four stories containing living units, subject to the provisions of Section 7057.
2. Upon the acquisition of development rights from nearby lots, subject to the provisions of Section 7058.

SECTION 3867 MAXIMUM FLOOR-AREA RATIO. The maximum floor-area ratio of any facility shall be as set forth below, subject to the provisions of Section 7053 with respect to maximum floor-area ratio on lots containing both Residential and Nonresidential Facilities:

(a) Permitted Floor-Area Ratio. The maximum permitted floor-area ratio is 3.50, except that this ratio may be exceeded by 10 percent on any corner lot and may also be exceeded by 10 percent on any lot which faces or abuts a public park at least as wide as the lot.

(b) Conditionally Permitted Floor-Area Ratio. The floor-area ratio permitted by subsection (a) may be increased by not to exceed 50 percent upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, in each of the following situations:

1. In the case of a Residential Facility with more than four stories containing living units, subject to the provisions of Section 7057.
2. For any facility, upon the acquisition of development rights from nearby lots, subject to the provisions of Section 7058.

SECTION 3869 MAXIMUM HEIGHT. No general maximum height is prescribed, except that the height of facilities shall be limited, as prescribed in Section 7070, on lots lying along a boundary of any of certain other zones. But see Section 3863 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards and courts.

SECTION 3870 MINIMUM YARDS AND COURTS. The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090:

(a) Front Yard. The minimum front yard depth on every lot shall be 10 feet, except as a lesser depth is allowed by Section 7079 on steep lots.

(b) Side Yard - Street Side of Corner Lot. A side yard shall be provided on the street side of a corner lot when and as prescribed in Section 7080.

(c) Side Yard - Interior Lot Line. No side yard is generally required along an interior side lot line except as follows:

1. A side yard shall be provided, when and as prescribed in Section 7082, opposite ~~any~~ living room window which faces an interior side lot line and which is located on ~~any~~ lot containing Residential Facilities with a total of two or more living units.
2. A side yard shall be provided, as prescribed in Section 7083, along an interior side lot line lying along a boundary of any of certain other zones.

(d) Rear Yard. The minimum rear yard depth on every lot shall be 10 feet, except as a lesser depth is allowed by Section 7086.

(e) Courts. On each lot containing Residential Facilities with a total of two or more living units, courts shall be provided when and as required by Section 7087.

SECTION 3871 MINIMUM USABLE OPEN SPACE. On each lot containing Residential Facilities with a total of two or more living units, group usable open space shall be provided for such facilities in the minimum amount of 150 square feet per regular dwelling unit plus 100 square feet per efficiency dwelling unit plus 75 square feet per rooming unit. Private usable open space may be substituted for such group space in the ratio prescribed in Section 8301. All required space shall conform to the STANDARDS FOR REQUIRED USABLE OPEN SPACE at Section 8300.

SECTION 3872 BUFFERING. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

SECTION 3873 SPECIAL REGULATIONS FOR LARGE DEVELOPMENTS. Large, integrated developments shall be subject to the PLANNED UNIT DEVELOPMENT REGULATIONS at Section 7800 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the R-80 Zone and certain of the other regulations applying in said zone may be waived or modified.

SECTION 3874 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Home Occupations. Home occupations shall be subject to the applicable provisions of the HOME OCCUPATION REGULATIONS at Section 7300.



(c) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(d) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the R-80 Zone.

## R-90 DOWNTOWN APARTMENT RESIDENTIAL ZONE REGULATIONS

SECTION 3900 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 3900 through Section 3924, inclusive, shall be known as the R-90 DOWNTOWN APARTMENT RESIDENTIAL ZONE REGULATIONS. The R-90 Zone is intended to create, preserve, and enhance areas for high-rise apartment living at very high densities in desirable settings, and is typically appropriate to areas within, or in close proximity to, the Oakland Central District. These regulations shall apply in the R-90 Zone.

SECTION 3903 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Activities:

- Permanent
- Semi-Transient

(b) Civic Activities:

- Essential Service
- Limited Child-Care
- Nursing Home
- Community Assembly
- Community Education
- Non-Assembly Cultural

SECTION 3904 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Civic Activities:

- Administrative
- Health Care
- Utility and Vehicular
- Extensive Impact

(b) Commercial Activities:

- Food Sales and Service
- Convenience Sales and Service
- Medical Service

(c) Off-street parking serving activities other than those listed above or in Section 3903, subject to the conditions set forth in Section 7011.

SECTION 3905 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Facilities:

- One-Family Dwelling
- Two-Family Dwelling
- Multi-Family Dwelling
- Rooming House

(b) Nonresidential Facilities:

- Enclosed
- Open



- (c) Signs:  
Residential  
Special  
Development  
Realty  
Civic

SECTION 3906 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

- (a) Signs:  
Business

SECTION 3908 SPECIAL REGULATIONS APPLYING TO CERTAIN COMMERCIAL ACTIVITIES. All Food Sales and Service and Convenience Sales and Service Commercial Activities shall, except for off-street parking and loading and maintenance of accessory landscaping and screening, be conducted entirely within enclosed portions of Multi-Family Dwelling or Rooming House Residential Facilities, with customer access only through the lobby of such a facility. The maximum floor area devoted to such activities by any single establishment shall be 1,500 square feet.

SECTION 3910 PERFORMANCE STANDARDS FOR COMMERCIAL ACTIVITIES. All Commercial Activities shall be subject to the applicable provisions of the PERFORMANCE STANDARDS at Section 7700.

SECTION 3913 LIMITATIONS ON SIGNS. All Signs shall be subject to the applicable limitations set forth in Section 7040.

SECTION 3914 MINIMUM LOT AREA, WIDTH, AND FRONTAGE. Every lot shall have a minimum lot area of 4,000 square feet and a minimum lot width of 25 feet, except as a lesser area or width is allowed by Section 7050. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 3915 MAXIMUM RESIDENTIAL DENSITY. The maximum density of Residential Facilities shall be as set forth below, subject to the provisions of Section 7053 with respect to maximum density on lots containing both Residential and Nonresidential Facilities. Also applicable are the provisions of Section 7032 with respect to additional kitchens for a dwelling unit.

(a) Permitted Density. One regular dwelling unit is permitted for each 150 square feet of lot area, provided that one extra such unit is permitted if a remainder of 100 square feet or more is obtained after division of the lot area by 150 square feet. One efficiency dwelling unit is permitted for each 100 square feet of lot area, provided that one extra such unit is permitted if a remainder of 75 square feet or more is obtained after division of the lot area by 100 square feet. One rooming unit is permitted

for each 75 square feet of lot area, provided that one extra such unit is permitted if a remainder of 50 square feet or more is obtained after division of the lot area by 75 square feet. For a combination of different types of living units, the total required lot area shall be the sum of the above requirements for each. The number of living units permitted heretofore may be exceeded by 10 percent on any corner lot, and may also be exceeded by 10 percent on any lot which faces or abuts a public park at least as wide as the lot.

(b) Conditionally Permitted Density. The number of living units permitted by subsection (a) may be increased by not to exceed 50 percent upon the acquisition of development rights from nearby lots and the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, subject to the provisions of Section 7058.

SECTION 3917 MAXIMUM FLOOR-AREA RATIO. The maximum floor-area ratio of any facility shall be as set forth below, subject to the provisions of Section 7053 with respect to maximum floor-area ratio on lots containing both Residential and Nonresidential Facilities:

(a) Permitted Floor-Area Ratio. The maximum permitted floor-area ratio is 7.00, except that this ratio may be exceeded by 10 percent on any corner lot and may also be exceeded by 10 percent on any lot which faces or abuts a public park at least as wide as the lot.

(b) Conditionally Permitted Floor-Area Ratio. The floor-area ratio permitted by subsection (a) may be increased by not to exceed 50 percent upon the acquisition of development rights from nearby lots and the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, subject to the provisions of Section 7058.

SECTION 3919 MAXIMUM HEIGHT. No general maximum height is prescribed, except that the height of facilities shall be limited, as prescribed in Section 7070, on lots lying along a boundary of any of certain other zones. But see Section 3913 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards and courts.

SECTION 3920 MINIMUM YARDS AND COURTS. The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090:

(a) Front Yard. The minimum front yard depth on every lot shall be 10 feet, except as a lesser depth is allowed by Section 7079 on steep lots.

(b) Side Yard - Street Side of Corner Lot. A side yard shall be provided on the street side of a corner lot when and as prescribed in Section 7080.

(c) Side Yard - Interior Lot Line. No side yard is generally required along an interior side lot line except as follows:



1. A side yard shall be provided, when and as prescribed in Section 7082, opposite a living room window which faces an interior side lot line and which is located on a lot containing Residential Facilities with a total of two or more living units.
2. A side yard shall be provided, as prescribed in Section 7083, along an interior side lot line lying along a boundary of any of certain other zones.

(d) Rear Yard. The minimum rear yard depth on every lot shall be 10 feet, except as a lesser depth is allowed by Section 7086.

(e) Courts. On each lot containing Residential Facilities with a total of two or more living units, courts shall be provided when and as required by Section 7087.

SECTION 3921 MINIMUM USABLE OPEN SPACE. On each lot containing Residential Facilities with a total of two or more living units, group usable open space shall be provided for such facilities in the minimum amount of 150 square feet per regular dwelling unit plus 100 square feet per efficiency dwelling unit plus 75 square feet per rooming unit. Private usable open space may be substituted for such group space in the ratio prescribed in Section 8301. All required space shall conform to the STANDARDS FOR REQUIRED USABLE OPEN SPACE at Section 8300.

SECTION 3922 BUFFERING. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

SECTION 3923 SPECIAL REGULATIONS FOR LARGE DEVELOPMENTS. Large, integrated developments shall be subject to the PLANNED UNIT DEVELOPMENT REGULATIONS at Section 7800 if they exceed the minimum sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the R-90 Zone and certain of the other regulations applying in said zone may be waived or modified.

SECTION 3924 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Home Occupations. Home occupations shall be subject to the applicable provisions of the HOME OCCUPATION REGULATIONS at Section 7300.

(c) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(d) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the R-90 Zone.

## REGULATIONS APPLYING IN INDIVIDUAL COMMERCIAL ZONES

### C-10 LOCAL RETAIL COMMERCIAL ZONE REGULATIONS

SECTION 4250 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 4250 through Section 4274, inclusive, shall be known as the C-10 LOCAL RETAIL COMMERCIAL ZONE REGULATIONS. The C-10 Zone is intended to create, preserve, and enhance areas of small-scale retail establishments serving frequently recurring needs in convenient locations, and is typically appropriate to small shopping clusters located within residential communities. These regulations shall apply in the C-10 Zone.

SECTION 4253 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Activities:

Permanent

(b) Civic Activities:

Essential Service

Limited Child-Care

Nursing Home

Community Assembly

Community Education

Non-Assembly Cultural

(c) Commercial Activities:

Food Sales and Service

Convenience Sales and Service

Medical Service

General Retail Sales

General Personal Service

Consultative and Financial Service

SECTION 4254 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Civic Activities:

Administrative

Health Care

Utility and Vehicular

Extensive Impact

(b) Commercial Activities:

Consumer Laundry and Repair Service

Group Assembly

Automotive Servicing

Automotive Fee Parking

(c) Agricultural and Extractive Activities:

Plant Nursery

(d) Off-street parking serving activities other than those listed above or in Section 4253, subject to the conditions set forth in Section 7011.



SECTION 4255 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

- (a) Residential Facilities:
  - One-Family Dwelling
  - Two-Family Dwelling
  - Multi-Family Dwelling
- (b) Nonresidential Facilities:
  - Enclosed
- (c) Signs:
  - Residential
  - Special
  - Development
  - Realty
  - Civic
  - Business

SECTION 4256 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

- (b) Nonresidential Facilities:
  - Open
  - Drive-In

SECTION 4257 RESTRICTION ON ACCESSORY PARKING AND LOADING WITHIN 75 FEET OF FRONT LOT LINE. Accessory off-street parking and loading activities, areas, and driveways shall not be located within 75 feet from the front lot line of the lot on which they are located, except upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200.

SECTION 4258 MAXIMUM SIZE OF COMMERCIAL ESTABLISHMENTS. The maximum floor area devoted to Commercial Activities by any single establishment shall be 5,000 square feet.

SECTION 4263 LIMITATIONS ON SIGNS.

(a) General Limitations. All Signs shall be subject to the applicable limitations set forth in Section 7041.

(b) Business, Civic, and Residential Signs. No single Business, Civic, or Residential Sign shall have a display surface greater than 50 square feet on any one face, unless it is flat against the wall of a building and does not extend outward therefrom more than 18 inches nor at all above the roof or parapet wall of the building. All Business, Civic, and Residential Signs shall be nonmoving. Illumination, if any, of all such Signs shall be nonflashing. Such Signs shall not, except in the case of Signs behind a display window and except for Civic or Residential Signs with a display surface not greater than one square foot on any one face, include any pennants, streamers, propellers, or similar devices.

(c) Development Signs. All Development Signs shall be located on the lot or tract referred to thereon and shall be permitted only for a one-year period, except that an off-site location or a longer time period may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section

9200. No Development Sign which is attached to a building shall extend above the roof or parapet wall thereof. No Development Sign which is not attached to a building shall extend more than 24 feet above finished grade. All Development Signs shall be nonmoving. Illumination, if any, of all such Signs shall be nonflashing. Such Signs shall not, except when attached to a building, include any pennants, streamers, propellers, or similar devices.

(d) Realty Signs. All Realty Signs shall be located on the same lot as the facilities advertised thereon, and shall be removed within seven days after occupancy, or change of occupancy, of the facilities. No Realty Sign which is attached to a building shall extend above the roof or parapet wall thereof. No Realty Sign which is not attached to a building shall extend more than six feet above finished grade. All Realty Signs shall be nonmoving. Illumination, if any, of all such Signs shall be nonflashing. Such Signs shall not, except when attached to a building, include any pennants, streamers, propellers, or similar devices.

SECTION 4264 MINIMUM LOT AREA, WIDTH, AND FRONTAGE. Every lot containing a Residential Facility shall have a minimum lot area of 4,000 square feet and a minimum lot width of 25 feet, except as a lesser area or width is allowed by Section 7050. No minimum lot area or lot width is prescribed for any lot which does not contain a Residential Facility. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 4265 MAXIMUM RESIDENTIAL DENSITY. Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 3665 for the R-50 Zone.

SECTION 4269 MAXIMUM HEIGHT. Except as a greater height is allowed by Sections 7071 and 7075, the maximum height of buildings and other facilities shall be three stories and not exceeding 45 feet. See Section 4263 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards and courts.

SECTION 4270 MINIMUM YARDS AND COURTS. No yards or courts are generally required except as indicated below. The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090:

(a) Front Yard. A front yard shall be provided, as prescribed in Section 7078, in certain situations where part of the frontage on the same side of a block is in a residential zone.

(b) Side Yard - Street Side of Corner Lot. A side yard shall be provided, as prescribed in Section 7081, on the street side of a corner lot in certain situations where a lot to the rear of the corner lot is in a residential zone.

(c) Side Yard - Interior Lot Line.

1. A side yard shall be provided along an interior side lot line, when and as prescribed in Section 7082, for Residential Facilities.



2. A side yard shall be provided, as prescribed in Section 7083, along an interior side lot line lying along a boundary of any of certain other zones.

(d) Rear Yard.

1. A rear yard with a minimum depth of 15 feet shall be provided for all Residential Facilities, except as a lesser depth is allowed by Section 7086.
2. A rear yard shall be provided, as prescribed in Section 7085, along a boundary of any of certain other zones.

(e) Courts. On each lot containing a Residential Facility, courts shall be provided when and as required by Section 7087.

SECTION 4271 MINIMUM USABLE OPEN SPACE. Usable open space shall be provided for Residential Facilities in accordance with the same requirements as are set forth in Section 3671 for the R-50 Zone.

SECTION 4272 BUFFERING. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein. See also Section 4257.

SECTION 4273 SPECIAL REGULATIONS FOR LARGE DEVELOPMENTS. Large, integrated developments shall be subject to the PLANNED UNIT DEVELOPMENT REGULATIONS at Section 7800 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the C-10 Zone and certain of the other regulations applying in said zone may be waived or modified.

SECTION 4274 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Home Occupations. Home occupations shall be subject to the applicable provisions of the HOME OCCUPATION REGULATIONS at Section 7300.

(c) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(d) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the C-10 Zone.

## C-20 SHOPPING CENTER COMMERCIAL ZONE REGULATIONS

SECTION 4300 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 4300 through Section 4324, inclusive, shall be known as the C-20 SHOPPING CENTER COMMERCIAL ZONE REGULATIONS. The C-20 Zone is intended to create, preserve, and enhance integrated centers devoted primarily to retail shopping within attractive surroundings, and is typically appropriate to locations near major thoroughfares within or near residential communities, especially in newly developed portions of the City. These regulations shall apply in the C-20 Zone.

SECTION 4302 DESIGN REVIEW FOR CONSTRUCTION OR ALTERATION. No building, Sign, or other facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the DESIGN REVIEW PROCEDURE at Section 9300.

SECTION 4303 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Civic Activities:

- Essential Service
- Limited Child-Care
- Community Assembly
- Community Education
- Non-Assembly Cultural
- Administrative

(b) Commercial Activities:

- Food Sales and Service
- Convenience Sales and Service
- General Retail Sales
- Medical Service
- General Personal Service
- Consultative and Financial Service
- Group Assembly

SECTION 4304 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Residential Activities:

- Permanent

(b) Civic Activities:

- Nursing Home
- Health Care
- Utility and Vehicular
- Extensive Impact

(c) Commercial Activities:

- Consumer Laundry and Repair Service
- Automotive Servicing
- Automotive Repair and Cleaning
- Automotive Fee Parking
- Animal Care

(d) Agricultural and Extractive Activities:

Plant Nursery

(e) Off-street parking serving activities other than those listed above or in Section 4303, subject to the conditions set forth in Section 7011.

SECTION 4305 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Nonresidential Facilities:

Enclosed

(b) Signs:

Special

Development

Realty

Civic

Business

SECTION 4306 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Residential Facilities:

One-Family Dwelling

Two-Family Dwelling

Multi-Family Dwelling

(b) Nonresidential Facilities:

Open

Drive-In

(c) Signs:

Residential

SECTION 4313 LIMITATIONS ON SIGNS.

(a) General Limitations. All Signs shall be subject to the applicable limitations set forth in Section 7041.

(b) Business, Civic, and Residential Signs. No single Business, Civic, or Residential Sign shall have a display surface greater than 50 square feet on any one face, unless it is flat against the wall of a building and does not extend outward therefrom more than 18 inches nor at all above the roof or parapet wall of the building. However, one Business Sign for each abutting street may, regardless of location with respect to a building, have a display surface of not more than 300 square feet on any one face if it serves to identify an integrated shopping center including at least five firms engaging in Commercial Activities. All Business, Civic, and Residential Signs shall be nonmoving. Illumination, if any, of all such Signs shall be nonflashing. Such Signs shall not, except in the case of Signs behind a display window and except for Civic or Residential Signs with a display surface not greater than one square foot on any one face, include any pennants, streamers, propellers, or similar devices.

(c) Development Signs. All Development Signs shall be located on the lot or tract referred to thereon and shall be permitted only for a one-year period, except that an off-site location or a longer time period may be permitted upon the granting of a conditional use permit



pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200. No Development Sign which is attached to a building shall extend above the roof or parapet wall thereof. No Development Sign which is not attached to a building shall extend more than 24 feet above finished grade. All Development Signs shall be nonmoving. Illumination, if any, of all such Signs shall be nonflashing. Such Signs shall not, except when attached to a building, include any pennants, streamers, propellers, or similar devices.

(d) Realty Signs. All Realty Signs shall be located on the same lot as the facilities advertised thereon, and shall be removed within seven days after occupancy, or change of occupancy, of the facilities. No Realty Sign which is attached to a building shall extend above the roof or parapet wall thereof. No Realty Sign which is not attached to a building shall extend more than six feet above finished grade. All Realty Signs shall be nonmoving. Illumination, if any, of all such Signs shall be nonflashing. Such Signs shall not, except when attached to a building, include any pennants, streamers, propellers, or similar devices.

SECTION 4314 MINIMUM LOT AREA, WIDTH, AND FRONTAGE. Every lot containing a Residential Facility shall have a minimum lot area of 4,000 square feet and a minimum lot width of 25 feet, except as a lesser area or width is allowed by Section 7050. No minimum lot area or lot width is prescribed for any lot which does not contain a Residential Facility. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 4315 MAXIMUM RESIDENTIAL DENSITY. Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 3665 for the R-50 Zone, except that no Residential living units are permitted unless a conditional use permit therefor is granted pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200.

SECTION 4319 MAXIMUM HEIGHT. Except as a greater height is allowed by Sections 7071 and 7075, the maximum height of buildings and other facilities shall be three stories and not exceeding 45 feet. See Section 4313 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards and courts.

SECTION 4320 MINIMUM YARDS AND COURTS. No yards or courts are generally required except as indicated below. The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090:

(a) Front Yard. A front yard shall be provided, as prescribed in Section 7078, in certain situations where part of the frontage on the same side of a block is in a residential zone.

(b) Side Yard - Street Side of Corner Lot. A side yard shall be provided, as prescribed in Section 7081, on the street side of a corner lot in certain situations where a lot to the rear of the corner lot is in a residential zone.

(c) Side Yard - Interior Lot Line.

1. A side yard shall be provided along an interior side lot line, when and as prescribed in Section 7082, for Residential Facilities.
2. A side yard shall be provided, as prescribed in Section 7083, along an interior side lot line lying along a boundary of any of certain other zones.

(d) Rear Yard. A rear yard shall be provided, as prescribed in Section 7085, along a boundary of any of certain other zones.

(e) Courts. On each lot containing a Residential Facility, courts shall be provided when and as required by Section 7087.

SECTION 4321 MINIMUM USABLE OPEN SPACE. Usable open space shall be provided for Residential Facilities in accordance with the same requirements as are set forth in Section 3671 for the R-50 Zone.

SECTION 4322 BUFFERING. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

SECTION 4323 SPECIAL REGULATIONS FOR LARGE DEVELOPMENTS. Large, integrated developments shall be subject to the PLANNED UNIT DEVELOPMENT REGULATIONS at Section 7800 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the C-20 Zone and certain of the other regulations applying in said zone may be waived or modified.

SECTION 4324 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Home Occupations. Home occupations shall be subject to the applicable provisions of the HOME OCCUPATION REGULATIONS at Section 7300.

(c) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(d) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the C-20 Zone.

## C-25 OFFICE COMMERCIAL ZONE REGULATIONS

SECTION 4350 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 4350 through Section 4374, inclusive, shall be known as the C-25 OFFICE COMMERCIAL ZONE REGULATIONS. The C-25 Zone is intended to create, preserve, and enhance areas containing a mixture of professional and administrative offices and high-density residences within attractive settings, and is typically appropriate along major thoroughfares running through residential communities. These regulations shall apply in the C-25 Zone.

SECTION 4353 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Activities:

Permanent

(b) Civic Activities:

Essential Service  
Limited Child-Care  
Nursing Home  
Community Assembly  
Community Education  
Non-Assembly Cultural  
Administrative

(c) Commercial Activities:

Food Sales and Service  
Convenience Sales and Service  
Medical Service  
Consultative and Financial Service  
Administrative

SECTION 4354 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Civic Activities:

Health Care  
Utility and Vehicular  
Extensive Impact

(b) Commercial Activities:

General Personal Service  
Business and Communication Service  
Automotive Fee Parking

(c) Off-street parking serving activities other than those listed above or in Section 4353, subject to the conditions set forth in Section 7011.

SECTION 4355 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Facilities:

One-Family Dwelling  
Two-Family Dwelling  
Multi-Family Dwelling  
Rooming House



(b) Nonresidential Facilities:

Enclosed

(c) Signs:

Residential

Special

Development

Realty

Civic

Business

SECTION 4356 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Nonresidential Facilities:

Open

SECTION 4358 SPECIAL REGULATIONS APPLYING TO CERTAIN COMMERCIAL ACTIVITIES. All Food Sales and Service, Convenience Sales and Service, and General Personal Service Commercial Activities shall, except for accessory off-street parking and loading and maintenance of accessory landscaping and screening, be conducted entirely within enclosed buildings which are partially occupied by other permitted activities, with customer access only through the lobby of such a building. The maximum floor area devoted to such activities by any single establishment shall be 3,000 square feet.

SECTION 4363 LIMITATIONS ON SIGNS.

(a) General Limitations. All Signs shall be subject to the applicable limitations set forth in Section 7041.

(b) Business, Civic, and Residential Signs. The maximum aggregate area of display surface of all Business, Civic, and Residential Signs on any one lot shall be either 50 square feet, or, in the case of an interior lot, one square foot for each one foot of street line abutting the lot, or, in the case of a corner lot, 0.5 square foot for each one foot of street line abutting the lot, whichever is applicable and results in the lesser aggregate area. In any of the foregoing cases, any such Sign located behind a display window and any such Sign with a display surface not greater than one square foot on any face shall be exempt from said maximum aggregate area. No single Business, Civic, or Residential Sign which is attached to a building shall have a display surface greater than six square feet on any one face, unless it is flat against a wall of the building and does not extend outward therefrom more than 18 inches. No Business, Civic, or Residential Sign which is attached to a building shall extend above the roof or parapet wall thereof. No single Business or Residential Sign which is not attached to a building shall have a display surface greater than 12 square feet on any one face, nor extend more than six feet above finished grade. No single Civic Sign which is not attached to a building shall have a display surface greater than 30 square feet on any one face, nor extend more than 12 feet above finished grade. All Business, Civic, and Residential Signs shall be nonmoving. Illumination, if any, of all such Signs shall be nonflashing. Such Signs shall not, except in the case of Signs behind a display window and except for Civic or Residential Signs with a display

surface not greater than one square foot on any one face, include any pennants, streamers, propellers, or similar devices.

(c) Development Signs. All Development Signs shall be located on the lot or tract referred to thereon and shall be permitted only for a one-year period, except that an off-site location or a longer time period may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200. No Development Sign which is attached to a building shall extend above the roof or parapet wall thereof. No Development Sign which is not attached to a building shall extend more than 24 feet above finished grade. All Development Signs shall be nonmoving. Illumination, if any, of all such Signs shall be nonflashing. Such Signs shall not, except when attached to a building, include any pennants, streamers, propellers, or similar devices.

(d) Realty Signs. All Realty Signs shall be located on the same lot as the facilities advertised thereon, and shall be removed within seven days after occupancy, or change of occupancy, of the facilities. No Realty Sign which is attached to a building shall extend above the roof or parapet wall thereof. No Realty Sign which is not attached to a building shall extend more than six feet above finished grade. All Realty Signs shall be nonmoving. Illumination, if any, of all such Signs shall be nonflashing. Such Signs shall not, except when attached to a building, include any pennants, streamers, propellers, or similar devices.

SECTION 4364 MINIMUM LOT AREA, WIDTH, AND FRONTAGE. Every lot shall have a minimum lot area of 4,000 square feet and a minimum lot width of 25 feet, except as a lesser area or width is allowed by Section 7050. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 4365 MAXIMUM RESIDENTIAL DENSITY. Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 3815 for the R-70 Zone.

SECTION 4367 MAXIMUM NONRESIDENTIAL FLOOR-AREA RATIO. The maximum floor-area ratio of Nonresidential Facilities shall be as set forth below, subject to the provisions of Section 7053 with respect to maximum floor-area ratio on lots containing both Residential and Nonresidential Facilities:

(a) Permitted Floor-Area Ratio. The maximum permitted floor-area ratio is 2.00, except that this ratio may be exceeded by 10 percent on any corner lot and may also be exceeded by 10 percent on any lot which faces or abuts a public park at least as wide as the lot.

(b) Conditionally Permitted Floor-Area Ratio. The floor-area ratio permitted by subsection (a) may be increased by not to exceed 50 percent upon the acquisition of development rights from nearby lots and the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, subject to the provisions of Section 7058.



## SECTION 4369 MAXIMUM HEIGHT.

(a) General Provisions for Nonresidential Facilities. No general maximum height is prescribed for Nonresidential Facilities, except that the height of such facilities shall be limited, as prescribed in Section 7070, on lots lying along a boundary of any of certain other zones.

(b) General Provisions for Residential Facilities. Except for the vertical projections allowed by Section 7075, no Residential Facility shall exceed 40 feet in height unless such facility, or that portion thereof which exceeds 40 feet in height, is:

1. Set back from the inner line of each minimum side yard, if any, required by Section 4370(c)2 a minimum horizontal distance equal to one foot for each four feet by which it exceeds 40 feet in height; and
2. Set back from the inner line of the minimum rear yard required by Sections 4370(d)1 and 4370(d)2 a minimum horizontal distance equal to one foot for each two feet by which it exceeds 40 feet in height, provided, however, that the sum of the minimum rear yard depth and the setback from the inner line of the minimum rear yard need not exceed 50 feet.

(c) Other Provisions. See Section 4363 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards and courts.

SECTION 4370 MINIMUM YARDS AND COURTS. No yards or courts are generally required except as indicated below. The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090:

(a) Front Yard. A front yard shall be provided, as prescribed in Section 7078, in certain situations where part of the frontage on the same side of a block is in a residential zone.

(b) Side Yard - Street Side of Corner Lot. A side yard shall be provided, as prescribed in Section 7081, on the street side of a corner lot in certain situations where a lot to the rear of the corner lot is in a residential zone.

(c) Side Yard - Interior Lot Line.

1. A side yard shall be provided along an interior side lot line, when and as prescribed in Section 7082, for Residential Facilities.
2. A side yard shall be provided, as prescribed in Section 7083, along an interior side lot line lying along a boundary of any of certain other zones.

(d) Rear Yard.

1. A rear yard with a minimum depth of 10 feet shall be provided for all Residential Facilities, except as a lesser depth is allowed by Section 7086.
2. A rear yard shall be provided, as prescribed in Section 7085, along a boundary of any of certain other zones.

(e) Courts. On each lot containing a Residential Facility, courts shall be provided when and as required by Section 7087.



SECTION 4371 MINIMUM USABLE OPEN SPACE. Usable open space shall be provided for Residential Facilities in accordance with the same requirements as are set forth in Section 3821 for the R-70 Zone.

SECTION 4372 BUFFERING. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

SECTION 4373 SPECIAL REGULATIONS FOR LARGE DEVELOPMENTS. Large, integrated developments shall be subject to the PLANNED UNIT DEVELOPMENT REGULATIONS at Section 7800 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the C-25 Zone and certain of the other regulations applying in said zone may be waived or modified.

SECTION 4374 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Home Occupations. Home occupations shall be subject to the applicable provisions of the HOME OCCUPATION REGULATIONS at Section 7300.

(c) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(d) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the C-25 Zone.

## C-30 DISTRICT THOROUGHFARE COMMERCIAL ZONE REGULATIONS

SECTION 4450 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 4450 through Section 4474, inclusive, shall be known as the C-30 DISTRICT THOROUGHFARE COMMERCIAL ZONE REGULATIONS. The C-30 Zone is intended to create, preserve, and enhance areas with a wide range of retail establishments serving both short and long term needs in convenient locations, and is typically appropriate along major thoroughfares. These regulations shall apply in the C-30 Zone.

SECTION 4453 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Activities:

Permanent

(b) Civic Activities:

Essential Service

Limited Child-Care

Nursing Home

Community Assembly

Community Education

Non-Assembly Cultural

Administrative

Health Care

Utility and Vehicular

(c) Commercial Activities:

Food Sales and Service

Convenience Sales and Service

Medical Service

General Personal Service

General Retail Sales

Consultative and Financial Service

Consumer Laundry and Repair Service

Group Assembly

Administrative

Business and Communication Service

Retail Business Supply

Automotive Servicing

Automotive Fee Parking

(d) Off-street parking serving activities other than those listed above, subject to the conditions set forth in Section 7011.

SECTION 4454 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Civic Activities:

Extensive Impact

(b) Commercial Activities:

Automotive Repair and Cleaning

Animal Care

(c) Agricultural and Extractive Activities:  
Plant Nursery

SECTION 4455 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

- (a) Residential Facilities:
  - One-Family Dwelling
  - Two-Family Dwelling
  - Multi-Family Dwelling
  - Rooming House
- (b) Nonresidential Facilities:
  - Enclosed
  - Open
  - Drive-In
- (c) Signs:
  - Residential
  - Special
  - Development
  - Realty
  - Civic
  - Business
  - Advertising

SECTION 4459 SPECIAL REGULATIONS APPLYING TO AUTOMOTIVE SERVICING COMMERCIAL ACTIVITIES.

- (a) Open Storage and Repair. Automotive Servicing Commercial Activities shall not involve open storage of goods or materials. All repair and lubrication performed by such activities shall take place in an enclosed building.
- (b) Landscaping. See Section 4472(b).
- (c) Signs. See Section 4463(c).

SECTION 4463 LIMITATIONS ON SIGNS.

- (a) General Limitations. All Signs shall be subject to the applicable limitations set forth in Section 7041.
- (b) Maximum Height. No Development, Realty, Civic, Business, or Advertising Sign shall exceed either three stories or 45 feet in height, except as a greater height is allowed by Section 7041(a).
- (c) Business Signs Serving Automotive Servicing Commercial Activities. The maximum aggregate area of display surface of all Business Signs serving Automotive Servicing Commercial Activities on any one lot shall be one square foot for each one foot of street line abutting the lot. However, any such Sign located behind a display window and any such Sign with a display surface not greater than one square foot on any face shall be exempt from said maximum aggregate area. No single Business Sign serving Automotive Servicing Commercial Activities shall have a display surface greater than 75 square feet on any one face. No such Sign shall extend more than 24 feet above finished grade. Illumination, if any, of all such Signs shall be nonflashing. Such Signs shall not, except in the case of Signs behind a display window, include any pennants, streamers, propellers, or similar devices.



SECTION 4464 MINIMUM LOT AREA, WIDTH, AND FRONTAGE. Every lot containing a Residential Facility shall have a minimum lot area of 4,000 square feet and a minimum lot width of 25 feet, except as a lesser area or width is allowed by Section 7050. No minimum lot area or lot width is prescribed for any lot which does not contain a Residential Facility. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 4465 MAXIMUM RESIDENTIAL DENSITY. Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 3815 for the R-70 Zone.

SECTION 4467 MAXIMUM NONRESIDENTIAL FLOOR-AREA RATIO. The floor-area ratio of Nonresidential Facilities shall be limited, as prescribed in Section 7053, on each lot which contains both Residential and Nonresidential Facilities.

SECTION 4469 MAXIMUM HEIGHT.

(a) General Provisions for Nonresidential Facilities. Except as a greater height is allowed by Sections 7071 and 7075, the maximum height of Nonresidential Facilities shall be three stories and not exceeding 45 feet.

(b) General Provisions for Residential Facilities. Except for the projections allowed by Section 7075, no Residential Facility shall exceed 40 feet in height unless such facility, or that portion thereof which exceeds 40 feet in height, is:

1. Set back from the inner line of each minimum side yard, if any, required by Section 4470(c)2 a minimum horizontal distance equal to one foot for each four feet by which it exceeds 40 feet in height; and
2. Set back from the inner line of the minimum rear yard required by Sections 4470(d)1 and 4470(d)2 a minimum horizontal distance equal to one foot for each two feet by which it exceeds 40 feet in height, provided, however, that the sum of the minimum rear yard depth and the setback from the inner line of the minimum rear yard need not exceed 50 feet.

(c) Other Provisions. See Section 4463 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards and courts.

SECTION 4470 MINIMUM YARDS AND COURTS. No yards or courts are generally required except as indicated below. The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090:

(a) Front Yard. A front yard shall be provided, as prescribed in Section 7078, in certain situations where part of the frontage on the same side of a block is in a residential zone.

(b) Side Yard - Street Side of Corner Lot. A side yard shall be provided, as prescribed in Section 7081, on the street side of a corner lot in certain situations where a lot to the rear of the corner lot is in a residential zone.

(c) Side Yard - Interior Lot Line.

1. A side yard shall be provided along an interior side lot line, when and as prescribed in Section 7082, for Residential Facilities.
2. A side yard shall be provided, as prescribed in Section 7083, along an interior side lot line lying along a boundary of any of certain other zones.

(d) Rear Yard.

1. A rear yard with a minimum depth of 10 feet shall be provided for all Residential Facilities, except as a lesser depth is allowed by Section 7086.
2. A rear yard shall be provided, as prescribed in Section 7085, along a boundary of any of certain other zones.

(e) Courts. On each lot containing a Residential Facility, courts shall be provided when and as required by Section 7087.

SECTION 4471 MINIMUM USABLE OPEN SPACE. Usable open space shall be provided for Residential Facilities in accordance with the same requirements as are set forth in Section 3821 for the R-70 Zone.

SECTION 4472 BUFFERING AND LANDSCAPING.

(a) General Requirements. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

(b) Landscaping for Automotive Servicing Commercial Activities. Two percent of the lot area devoted to Automotive Servicing Commercial Activities shall be developed with lawn, ground cover, garden, or shrubs, and one street tree shall be provided for each 75 feet of street line abutting the lot, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING at Section 8100.

SECTION 4473 SPECIAL REGULATIONS FOR LARGE DEVELOPMENTS. Large, integrated developments shall be subject to the PLANNED UNIT DEVELOPMENT REGULATIONS at Section 7800 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the C-30 Zone and certain of the other regulations applying in said zone may be waived or modified.

SECTION 4474 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Home Occupations. Home occupations shall be subject

to the applicable provisions of the HOME OCCUPATION REGULATIONS at Section 7300.

(c) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(d) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the C-30 Zone.



## C-35 DISTRICT SHOPPING COMMERCIAL ZONE REGULATIONS

SECTION 4500 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 4500 through Section 4524, inclusive, shall be known as the C-35 DISTRICT SHOPPING COMMERCIAL ZONE REGULATIONS. The C-35 Zone is intended to create, preserve, and enhance areas with a wide range of retail establishments serving both short and long term needs in compact locations oriented toward pedestrian comparison shopping, and is typically appropriate to commercial clusters near intersections of major thoroughfares. These regulations shall apply in the C-35 Zone.

SECTION 4503 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

- (a) Residential Activities:
  - Permanent
- (b) Civic Activities:
  - Essential Service
  - Limited Child-Care
  - Nursing Home
  - Community Assembly
  - Community Education
  - Non-Assembly Cultural
  - Administrative
  - Health Care
- (b) Commercial Activities:
  - Food Sales and Service
  - Convenience Sales and Service
  - Medical Service
  - General Personal Service
  - General Retail Sales
  - Consultative and Financial Service
  - Consumer Laundry and Repair Service
  - Group Assembly
  - Administrative
  - Business and Communication Service
  - Retail Business Supply

SECTION 4504 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

- (a) Civic Activities:
  - Utility and Vehicular
  - Extensive Impact
- (b) Commercial Activities:
  - Automotive Servicing
  - Automotive Repair and Cleaning
  - Automotive Fee Parking
  - Animal Care

(c) Agricultural and Extractive Activities:

Plant Nursery

(d) Off-street parking serving activities other than those listed above or in Section 4503, subject to the conditions set forth in Section 7011.

SECTION 4505 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Facilities:

One-Family Dwelling

Two-Family Dwelling

Multi-Family Dwelling

Rooming House

(b) Nonresidential Facilities:

Enclosed

(c) Signs:

Residential

Special

Development

Realty

Civic

Business

Advertising

SECTION 4506 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Nonresidential Facilities:

Open

Drive-In

SECTION 4507 RESTRICTION ON ACCESSORY PARKING AND LOADING WITHIN 75 FEET OF FRONT LOT LINE. Accessory off-street parking and loading activities, areas, and driveways shall not be located within 75 feet from the front lot line of the lot on which they are located, except upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200.

SECTION 4513 LIMITATIONS ON SIGNS. All Signs shall be subject to the applicable limitations set forth in Section 7041.

SECTION 4514 MINIMUM LOT AREA, WIDTH, AND FRONTAGE. Every lot containing a Residential Facility shall have a minimum lot area of 4,000 square feet and a minimum lot width of 25 feet, except as a lesser area or width is allowed by Section 7050. No minimum lot area or lot width is prescribed for any lot which does not contain a Residential Facility. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 4515 MAXIMUM RESIDENTIAL DENSITY. Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 3815 for the R-70 Zone.





SECTION 4517 MAXIMUM NONRESIDENTIAL FLOOR-AREA RATIO.

The maximum floor-area ratio of any Nonresidential Facility shall be as set forth below, subject to the provisions of Section 7053 with respect to maximum floor-area ratio on lots containing both Residential and Nonresidential Facilities:

(a) Permitted Floor-Area Ratio. The maximum permitted floor-area ratio is 3.00, except that this ratio may be exceeded by 10 percent on any corner lot and may also be exceeded by 10 percent on any lot which faces or abuts a public park at least as wide as the lot.

(b) Conditionally Permitted Floor-Area Ratio. The floor-area ratio permitted by subsection (a) may be increased by not to exceed 50 percent upon the acquisition of development rights from nearby lots and the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, subject to the provisions of Section 7058.

SECTION 4519 MAXIMUM HEIGHT. No general maximum height is prescribed, except that the height of facilities shall be limited, as prescribed in Section 7070, on lots lying along a boundary of any of certain other zones. But see Section 4513 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards and courts.

SECTION 4520 MINIMUM YARDS AND COURTS. No yards or courts are generally required except as indicated below. The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090:

(a) Front Yard. A front yard shall be provided, as prescribed in Section 7078, in certain situations where part of the frontage on the same side of a block is in a residential zone.

(b) Side Yard - Street Side of Corner Lot. A side yard shall be provided, as prescribed in Section 7081, on the street side of a corner lot in certain situations where a lot to the rear of the corner lot is in a residential zone.

(c) Side Yard - Interior Lot Line.

1. A side yard shall be provided along an interior side lot line, when and as prescribed in Section 7082, for Residential Facilities.
2. A side yard shall be provided, as prescribed in Section 7083, along an interior side lot line lying along a boundary of any of certain other zones.

(d) Rear Yard.

1. A rear yard with a minimum depth of 10 feet shall be provided for all Residential Facilities, except as a lesser depth is allowed by Section 7086.
2. A rear yard shall be provided, as prescribed in Section 7085, along a boundary of any of certain other zones.

(e) Courts. On each lot containing a Residential Facility, courts shall be provided when and as required by Section 7087.

SECTION 4521 MINIMUM USABLE OPEN SPACE. Usable open space shall be provided for Residential Facilities in accordance with the same requirements as are set forth in Section 3821 for the R-70 Zone.

SECTION 4522 BUFFERING. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein. See also Section 4507.

SECTION 4523 SPECIAL REGULATIONS FOR LARGE DEVELOPMENTS. Large, integrated developments shall be subject to the PLANNED UNIT DEVELOPMENT REGULATIONS at Section 7800, if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the C-35 Zone and certain of the other regulations applying in said zone may be waived or modified.

SECTION 4524 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Home Occupations. Home occupations shall be subject to the applicable provisions of the HOME OCCUPATION REGULATIONS at Section 7300.

(c) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(d) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the C-35 Zone.

## C-40 COMMUNITY THOROUGHFARE COMMERCIAL ZONE REGULATIONS

SECTION 4550 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 4550 through Section 4574, inclusive, shall be known as the C-40 COMMUNITY THOROUGHFARE COMMERCIAL ZONE REGULATIONS. The C-40 Zone is intended to create, preserve, and enhance areas with a wide range of both retail and wholesale establishments serving both short and long term needs in convenient locations, and is typically appropriate along major thoroughfares. These regulations shall apply in the C-40 Zone.

SECTION 4553 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Activities:

Permanent

Semi-Transient

(b) Civic Activities:

Essential Service

Limited Child-Care

Nursing Home

Community Assembly

Community Education

Non-Assembly Cultural

Administrative

Health Care

Utility and Vehicular

(c) Commercial Activities:

Food Sales and Service

Convenience Sales and Service

Medical Service

General Personal Service

General Retail Sales

Consultative and Financial Service

Consumer Laundry and Repair Service

Group Assembly

Administrative

Business and Communication Service

Retail Business Supply

Research Service

Transient Habitation

General Wholesale Sales

Construction Sales and Service

Automotive Sales, Rental, and Delivery

Automotive Servicing

Automotive Repair and Cleaning

Automotive Fee Parking

(d) Manufacturing Activities:

Custom

(e) Off-street parking serving activities other than those listed above, subject to the conditions set forth in Section 7011.



SECTION 4554 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

- (a) Civic Activities:
  - Extensive Impact
- (b) Commercial Activities:
  - Animal Care
  - Undertaking Service
- (c) Agricultural and Extractive Activities:
  - Plant Nursery

SECTION 4555 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

- (a) Residential Facilities:
  - One-Family Dwelling
  - Two-Family Dwelling
  - Multi-Family Dwelling
  - Rooming House
- (b) Nonresidential Facilities:
  - Enclosed
  - Open
  - Drive-In
- (c) Signs:
  - Residential
  - Special
  - Development
  - Realty
  - Civic
  - Business
  - Advertising

SECTION 4559 SPECIAL REGULATIONS APPLYING TO AUTOMOTIVE SERVICING COMMERCIAL ACTIVITIES.

- (a) Open Storage and Repair. Automotive Servicing Commercial Activities shall not involve open storage of goods or materials. All repair and lubrication performed by such activities shall take place in an enclosed building.
- (b) Landscaping. See Section 4572(b).
- (c) Signs. See Section 4563(b).

SECTION 4563 LIMITATIONS ON SIGNS.

- (a) General Limitations. All Signs shall be subject to the applicable limitations set forth in Section 7041.
- (b) Business Signs Serving Automotive Servicing Commercial Activities. No single Business Sign serving Automotive Servicing Commercial Activities shall have a display surface greater than 125 square feet on any one face. No such Sign shall extend more than 35 feet above finished grade. Illumination, if any, of all such Signs shall be nonflashing. Such Signs shall not, except for 30 days in any one-year period and except in the case of Signs behind a display window for any length of time, include any pennants, streamers, propellers, or similar devices.

SECTION 4564 MINIMUM LOT AREA, WIDTH, AND FRONTAGE. Every lot containing a Residential Facility shall have a minimum lot area of 4,000 square feet and a minimum lot width of 25 feet, except as a lesser area or width is allowed by Section 7050. No minimum lot area or lot width is prescribed for any lot which does not contain a Residential Facility. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 4565 MAXIMUM RESIDENTIAL DENSITY. Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 3815 for the R-70 Zone.

SECTION 4567 MAXIMUM NONRESIDENTIAL FLOOR-AREA RATIO. The maximum floor-area ratio of Nonresidential Facilities shall be as set forth below, subject to the provisions of Section 7053 with respect to maximum floor-area ratio on lots containing both Residential and Nonresidential Facilities:

(a) Permitted Floor-Area Ratio. The maximum permitted floor-area ratio is 3.00, except that this ratio may be exceeded by 10 percent on any corner lot and may also be exceeded by 10 percent on any lot which faces or abuts a public park at least as wide as the lot..

(b) Conditionally Permitted Floor-Area Ratio. The floor-area ratio permitted by subsection (a) may be increased by not to exceed 50 percent upon the acquisition of development rights from nearby lots and the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, subject to the provisions of Section 7058.

SECTION 4569 MAXIMUM HEIGHT. No general maximum height is prescribed, except that the height of facilities shall be limited, as prescribed in Section 7070, on lots lying along a boundary of any of certain other zones. But see Section 4563 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards and courts.

SECTION 4570 MINIMUM YARDS AND COURTS. No yards or courts are generally required except as indicated below. The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090:

(a) Front Yard. A front yard shall be provided, as prescribed in Section 7078, in certain situations where part of the frontage on the same side of a block is in a residential zone.

(b) Side Yard - Street Side of Corner Lot. A side yard shall be provided, as prescribed in Section 7081, on the street side of a corner lot in certain situations where a lot to the rear of the corner lot is in a residential zone.

(c) Side Yard - Interior Lot Line.

1. A side yard shall be provided along an interior side lot line, when and as prescribed in Section 7082, for Residential Facilities.

2. A side yard shall be provided, as prescribed in Section 7083, along an interior side lot line lying along a boundary of any of certain other zones.

(d) Rear Yard.

1. A rear yard with a minimum depth of 10 feet shall be provided for all Residential Facilities, except as a lesser depth is allowed by Section 7086.
2. A rear yard shall be provided, as prescribed in Section 7085, along a boundary of any of certain other zones.

(e) Courts. On each lot containing a Residential Facility, courts shall be provided when and as required by Section 7087.

SECTION 4571 MINIMUM USABLE OPEN SPACE. Usable open space shall be provided for Residential Facilities in accordance with the same requirements as are set forth in Section 3821 for the R-70 Zone.

SECTION 4572 BUFFERING AND LANDSCAPING.

(a) General Requirements. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

(b) Landscaping for Automotive Servicing Commercial Activities. One and one-half percent of the lot area devoted to Automotive Servicing Commercial Activities shall be developed with lawn, ground cover, garden, or shrubs, and one street tree shall be provided for each 100 feet of street line abutting the lot, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING at Section 8100.

SECTION 4573 SPECIAL REGULATIONS FOR LARGE DEVELOPMENTS.

Large, integrated developments shall be subject to the PLANNED UNIT DEVELOPMENT REGULATIONS at Section 7800 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the C-40 Zone and certain of the other regulations applying in said zone may be waived or modified.

SECTION 4574 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Home Occupations. Home occupations shall be subject to the applicable provisions of the HOME OCCUPATION REGULATIONS at Section 7300.

(c) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(d) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the C-40 Zone.



## C-45 COMMUNITY SHOPPING COMMERCIAL ZONE REGULATIONS

SECTION 4600 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 4600 through Section 4624, inclusive, shall be known as the C-45 COMMUNITY SHOPPING COMMERCIAL ZONE REGULATIONS. The C-45 Zone is intended to create, preserve, and enhance areas with a wide range of both retail and wholesale establishments serving both long and short term needs in compact locations oriented toward pedestrian comparison shopping, and is typically appropriate to commercial clusters near intersections of major thoroughfares. These regulations shall apply in the C-45 Zone.

SECTION 4603 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Activities:

- Permanent
- Semi-Transient

(b) Civic Activities:

- Essential Service
- Limited Child-Care
- Nursing Home
- Community Assembly
- Community Education
- Non-Assembly Cultural
- Administrative
- Health Care
- Utility and Vehicular

(c) Commercial Activities:

- Food Sales and Service
- Convenience Sales and Service
- Medical Service
- General Retail Sales
- General Personal Service
- Consultative and Financial Service
- Consumer Laundry and Repair Service
- Group Assembly
- Administrative
- Business and Communication Service
- Retail Business Supply
- Research Service
- General Wholesale Sales

SECTION 4604 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Civic Activities:

- Extensive Impact

(b) Commercial Activities:

- Transient Habitation
- Construction Sales and Service
- Automotive Sales, Rental, and Delivery
- Automotive Servicing
- Automotive Repair and Cleaning
- Automotive Fee Parking
- Animal Care
- Undertaking Service

(c) Manufacturing Activities:

- Custom

(d) Agricultural and Extractive Activities:

- Plant Nursery

(e) Off-street parking serving activities other than those listed above or in Section 4603, subject to the conditions set forth in Section 7011.

SECTION 4605 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Facilities:

- One-Family Dwelling
- Two-Family Dwelling
- Multi-Family Dwelling
- Rooming House

(b) Nonresidential Facilities:

- Enclosed

(c) Signs:

- Residential
- Special
- Development
- Realty
- Civic
- Business
- Advertising

SECTION 4606 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Nonresidential Facilities:

- Open
- Drive-In

SECTION 4607 RESTRICTION ON ACCESSORY PARKING AND LOADING WITHIN 75 FEET OF FRONT LOT LINE. Accessory off-street parking and loading activities, areas, and driveways shall not be located within 75 feet from the front lot line of the lot on which they are located, except upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200.

SECTION 4608 ENCLOSURE OF MANUFACTURING ACTIVITIES. All Custom Manufacturing Activities shall, except for accessory off-street parking and loading and maintenance of accessory landscaping and screening, be conducted entirely within enclosed buildings.

SECTION 4613 LIMITATIONS ON SIGNS. All Signs shall be subject to the applicable limitations set forth in Section 7041.

SECTION 4614 MINIMUM LOT AREA, WIDTH, AND FRONTAGE. Every lot containing a Residential Facility shall have a minimum lot area of 4,000 square feet and a minimum lot width of 25 feet, except as a lesser area or width is allowed by Section 7050. No minimum lot area or lot width is prescribed for any lot which does not contain a Residential Facility. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 4615 MAXIMUM RESIDENTIAL DENSITY. Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 3865 for the R-80 Zone.

SECTION 4617 MAXIMUM FLOOR-AREA RATIO. The maximum floor-area ratio of any facility shall be as set forth below, subject to the provisions of Section 7053 with respect to maximum floor-area ratio on lots containing both Residential and Nonresidential Facilities:

(a) Permitted Floor-Area Ratio. The maximum permitted floor-area ratio is 4.00, except that this ratio may be exceeded by 10 percent on any corner lot and may also be exceeded by 10 percent on any lot which faces or abuts a public park at least as wide as the lot.

(b) Conditionally Permitted Floor-Area Ratio. The floor-area ratio permitted by subsection (a) may be increased by not to exceed 50 percent upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, in each of the following situations:

1. In the case of a Residential Facility with more than four stories containing living units, subject to the provisions of Section 7057.
2. For any facility, upon the acquisition of development rights from nearby lots, subject to the provisions of Section 7058.

SECTION 4619 MAXIMUM HEIGHT. No general maximum height is prescribed, except that the height of facilities shall be limited, as prescribed in Section 7070, on lots lying along a boundary of any of certain other zones. But see Section 4613 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards and courts.

SECTION 4620 MINIMUM YARDS AND COURTS. No yards or courts are generally required except as indicated below. The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090:

(a) Front Yard. A front yard shall be provided, as prescribed in Section 7078, in certain situations where part of the frontage on the same side of a block is in a residential zone.



(b) Side Yard - Street Side of Corner Lot. A side yard shall be provided, as prescribed in Section 7081, on the street side of a corner lot in certain situations where a lot to the rear of the corner lot is in a residential zone.

(c) Side Yard - Interior Lot Line.

1. A side yard shall be provided along an interior side lot line, when and as prescribed in Section 7082, for Residential Facilities.
2. A side yard shall be provided, as prescribed in Section 7083, along an interior side lot line lying along a boundary of any of certain other zones.

(d) Rear Yard.

1. A rear yard with a minimum depth of 10 feet shall be provided for all Residential Facilities, except as a lesser depth is allowed by Section 7086.
2. A rear yard shall be provided, as prescribed in Section 7085, along a boundary of any of certain other zones.

(e) Courts. On each lot containing a Residential Facility, courts shall be provided when and as required by Section 7087.

SECTION 4621 MINIMUM USABLE OPEN SPACE. Usable open space shall be provided for Residential Facilities in accordance with the same requirements as are set forth in Section 3871 for the R-80 Zone.

SECTION 4622 BUFFERING. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein. See also Section 4607.

SECTION 4623 SPECIAL REGULATIONS FOR LARGE DEVELOPMENTS. Large, integrated developments shall be subject to the PLANNED UNIT DEVELOPMENT REGULATIONS at Section 7800 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the C-45 Zone and certain of the other regulations applying in said zone may be waived or modified.

SECTION 4624 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Home Occupations. Home occupations shall be subject to the applicable provisions of the HOME OCCUPATION REGULATIONS at Section 7300.

(c) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(d) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the C-45 Zone.

## C-50 CENTRAL BUSINESS COMMERCIAL ZONE REGULATIONS

SECTION 4800 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 4800 through Section 4824, inclusive, shall be known as the C-50 CENTRAL BUSINESS COMMERCIAL ZONE REGULATIONS. The C-50 Zone is intended to preserve and enhance the Oakland Central District as a regional center of employment, shopping, culture, and recreation, and is typically appropriate to the primary commercial portions of the Central District. These regulations shall apply in the C-50 Zone.

SECTION 4803 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

- (a) Residential Activities:
  - Permanent
  - Semi-Transient
- (b) Civic Activities:
  - Essential Service
  - Limited Child-Care
  - Nursing Home
  - Community Education
  - Community Assembly
  - Non-Assembly Cultural
  - Administrative
  - Health Care
  - Utility and Vehicular
- (c) Commercial Activities:
  - Food Sales and Service
  - Convenience Sales and Service
  - Medical Service
  - General Retail Sales
  - General Personal Service
  - Consultative and Financial Service
  - Consumer Laundry and Repair Service
  - Group Assembly
  - Administrative
  - Business and Communication Service
  - Retail Business Supply
  - Research Service
  - General Wholesale Sales
  - Transient Habitation
  - Construction Sales and Service
  - Automotive Sales, Rental, and Delivery
  - Automotive Servicing
  - Automotive Repair and Cleaning
  - Automotive Fee Parking
- (d) Manufacturing Activities:
  - Custom

(e) Off-street parking serving activities other than those listed above, subject to the conditions set forth in Section 7011.

SECTION 4804 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

- (a) Civic Activities:
  - Extensive Impact
- (b) Commercial Activities:
  - Animal Care
  - Undertaking Service
- (c) Agricultural and Extractive Activities:
  - Plant Nursery

SECTION 4805 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

- (a) Residential Facilities:
  - One-Family Dwelling
  - Two-Family Dwelling
  - Multi-Family Dwelling
  - Rooming House
- (b) Nonresidential Facilities:
  - Enclosed
- (c) Signs:
  - Residential
  - Special
  - Development
  - Realty
  - Civic
  - Business
  - Advertising

SECTION 4806 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

- (a) Nonresidential Facilities:
  - Open
  - Drive-In

SECTION 4807 RESTRICTION ON OPEN ACCESSORY PARKING AND LOADING. All accessory off-street parking and loading areas shall be located within enclosed buildings, except that open parking or loading areas may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200.

SECTION 4808 ENCLOSURE OF MANUFACTURING ACTIVITIES. All Custom Manufacturing Activities shall, except for accessory landscaping and screening and (subject to the provisions of Section 4807) accessory off-street parking and loading, be conducted entirely within enclosed buildings.



SECTION 4813 LIMITATIONS ON SIGNS. All Signs shall be subject to the applicable limitations set forth in Section 7041.

SECTION 4814 MINIMUM LOT AREA, WIDTH, AND FRONTAGE. Every lot containing a Residential Facility shall have a minimum lot area of 4,000 square feet and a minimum lot width of 25 feet, except as a lesser area or width is allowed by Section 7050. No minimum lot area or lot width is prescribed for any lot which does not contain a Residential Facility. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 4815 MAXIMUM RESIDENTIAL DENSITY. Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 3915 for the R-90 Zone.

SECTION 4817 MAXIMUM RESIDENTIAL FLOOR-AREA RATIO. The maximum floor-area ratio of Residential Facilities shall be as set forth below:

(a) Permitted Floor-Area Ratio. The maximum permitted floor-area ratio is 7.00, except that this ratio may be expected by 10 percent on any corner lot and may also be exceeded by 10 percent on any lot which faces or abuts a public park at least as wide as the lot.

(b) Conditionally Permitted Floor-Area Ratio. The floor-area ratio permitted by subsection (a) may be increased by not to exceed 50 percent upon the acquisition of development rights from nearby lots and the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, subject to the provisions of Section 7058.

SECTION 4819 MAXIMUM HEIGHT. No general maximum height is prescribed, except that the height of facilities shall be limited, as prescribed in Section 7070, on lots lying along a boundary of any of certain other zones. But see Section 4813 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards and courts.

SECTION 4820 MINIMUM YARDS AND COURTS. No yards or courts are generally required except as indicated below. The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090:

(a) Front Yard. A front yard shall be provided, as prescribed in Section 7078, in certain situations where part of the frontage on the same side of a block is in a residential zone.

(b) Side Yard - Street Side of Corner Lot. A side yard shall be provided, as prescribed in Section 7081, on the street side of a corner lot in certain situations where a lot to the rear of the corner lot is in a residential zone.

(c) Side Yard - Interior Lot Line.

1. A side yard shall be provided along an interior side lot line, when and as prescribed in Section 7082, for Residential Facilities.

2. A side yard shall be provided, as prescribed in Section 7083, along an interior side lot line lying along a boundary of any of certain other zones.

(d) Rear Yard.

1. A rear yard with a minimum depth of 10 feet shall be provided for all Residential Facilities, except as a lesser depth is allowed by Section 7086.
2. A rear yard shall be provided, as prescribed in Section 7085, along a boundary of any of certain other zones.

(e) Courts. On each lot containing a Residential Facility, courts shall be provided when and as required by Section 7087.

SECTION 4821 MINIMUM USABLE OPEN SPACE. Usable open space shall be provided for Residential Facilities in accordance with the same requirements as are set forth in Section 3921 for the R-90 Zone.

SECTION 4822 BUFFERING. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein. See also Section 4807.

SECTION 4823 SPECIAL REGULATIONS FOR LARGE DEVELOPMENTS. Large, integrated developments shall be subject to the PLANNED UNIT DEVELOPMENT REGULATIONS at Section 7800 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the C-50 Zone and certain of the other regulations applying in said zone may be waived or modified.

SECTION 4824 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Home Occupations. Home occupations shall be subject to the applicable provisions of the HOME OCCUPATION REGULATIONS at Section 7300.

(c) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(d) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the C-50 Zone.

## C-60 CITY SERVICE COMMERCIAL ZONE REGULATIONS

SECTION 4900 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 4900 through Section 4924, inclusive, shall be known as the C-60 CITY SERVICE COMMERCIAL ZONE REGULATIONS. The C-60 Zone is intended to create, preserve, and enhance areas with a variety of commercial services which are essential to the economy of the City but which are frequently incompatible with the operations of a retail shopping or office area, and is typically appropriate to centralized areas near industrial concentrations. These regulations shall apply in the C-60 Zone.

SECTION 4903 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

- (a) Civic Activities:
  - Essential Service
  - Non-Assembly Cultural
  - Utility and Vehicular
- (b) Commercial Activities:
  - Food Sales and Service
  - Convenience Sales and Service
  - Consumer Laundry and Repair Service
  - Business and Communication Service
  - Retail Business Supply
  - Research Service
  - General Wholesale Sales
  - Construction Sales and Service
  - Automotive Sales, Rental, and Delivery
  - Automotive Servicing
  - Automotive Repair and Cleaning
  - Automotive Fee Parking
  - Transport and Warehousing
- (c) Manufacturing Activities:
  - Custom
  - Light

(d) Off-street parking serving activities other than those listed above, subject to the conditions set forth in Section 7011.

SECTION 4904 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

- (a) Civic Activities:
  - Community Assembly
  - Extensive Impact
- (b) Commercial Activities:
  - Animal Care
  - Undertaking Service
- (c) Agricultural and Extractive Activities:
  - Plant Nursery



SECTION 4905 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Nonresidential Facilities:

Enclosed

Open

Drive-In

(b) Signs:

Special

Development

Realty

Civic

Business

Advertising

SECTION 4908 MAXIMUM SIZE OF CERTAIN COMMERCIAL AND MANUFACTURING ESTABLISHMENTS. The maximum floor area devoted to Food Sales and Service or Convenience Sales and Service Commercial Activities by any single establishment shall be 3,000 square feet. The maximum floor area devoted to Light Manufacturing Activities by any single establishment shall be 5,000 square feet.

SECTION 4909 SPECIAL REGULATIONS APPLYING TO AUTOMOTIVE SERVICING COMMERCIAL ACTIVITIES. Automotive Servicing Commercial Activities shall not involve open storage of goods or materials.

SECTION 4913 LIMITATIONS ON SIGNS. All Signs shall be subject to the applicable limitations set forth in Section 7041.

SECTION 4914 MINIMUM STREET FRONTAGE. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 4919 MAXIMUM HEIGHT. No general maximum height is prescribed, except that the height of facilities shall be limited, as prescribed in Section 7070, on lots lying along a boundary of any of certain other zones. But see Section 4913 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards.

SECTION 4920 MINIMUM YARDS. No yards are generally required except as indicated below. The following minimum yards shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090:

(a) Front Yard. A front yard shall be provided, as prescribed in Section 7078, in certain situations where part of the frontage on the same side of a block is in a residential zone.

(b) Side Yard - Street Side of Corner Lot. A side yard shall be provided, as prescribed in Section 7081, on the street side of a corner lot in certain situations where a lot to the rear of the corner lot is in a residential zone.

(c) Side Yard - Interior Lot Line. A side yard shall be provided, as prescribed in Section 7083, along an interior side lot line lying along a boundary of any of certain other zones.

(d) Rear Yard. A rear yard shall be provided, as prescribed in Section 7085, along a boundary of any of certain other zones.

SECTION 4922 BUFFERING. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

SECTION 4923 SPECIAL REGULATIONS FOR LARGE DEVELOPMENTS. Large, integrated developments shall be subject to the PLANNED UNIT DEVELOPMENT REGULATIONS at Section 7800 if they exceed the sizes specified therein. In developments which are approved pursuant to said regulations, certain uses may be permitted in addition to those otherwise allowed in the C-60 Zone and certain of the other regulations applying in said zone may be waived or modified.

SECTION 4924 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(c) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the C-60 Zone.

## REGULATIONS APPLYING IN INDIVIDUAL INDUSTRIAL ZONES

### M-10 SPECIAL INDUSTRIAL ZONE REGULATIONS

SECTION 5400 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 5400 through Section 5424, inclusive, shall be known as the M-10 SPECIAL INDUSTRIAL ZONE REGULATIONS. The M-10 Zone is intended to create, preserve, and enhance areas containing manufacturing and related establishments with limited external impact within an open and attractive setting, and is typically appropriate to locations near major thoroughfares and nonmanufacturing areas. These regulations shall apply in the M-10 Zone.

SECTION 5403 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Civic Activities:

Essential Service  
Non-Assembly Cultural

(b) Commercial Activities:

Food Sales and Service  
Convenience Sales and Service  
Administrative  
Business and Communication Service  
Research Service  
General Wholesale Sales  
Automotive Fee Parking

(c) Manufacturing Activities:

Custom  
Light

(d) Off-street parking serving activities other than those listed above, subject to the conditions set forth in Section 7011.

SECTION 5404 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Civic Activities:

Community Assembly  
Utility and Vehicular  
Extensive Impact

(b) Commercial Activities:

Retail Business Supply  
Automotive Servicing

(c) Agricultural and Extractive Activities:

Plant Nursery

SECTION 5405 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:



(a) Nonresidential Facilities:

Enclosed

(b) Signs:

Special

Development

Realty

Civic

Business

SECTION 5406 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Nonresidential Facilities:

Open

Drive-In

SECTION 5408 MAXIMUM SIZE OF CERTAIN COMMERCIAL ESTABLISHMENTS. The maximum floor area devoted to Food Sales and Service or Convenience Sales and Service Commercial Activities by any single establishment shall be 3,000 square feet.

SECTION 5410 PERFORMANCE STANDARDS FOR COMMERCIAL AND MANUFACTURING ACTIVITIES. All Commercial and Manufacturing Activities shall be subject to the applicable provisions of the PERFORMANCE STANDARDS at Section 7700.

SECTION 5413 LIMITATIONS ON SIGNS.

(a) General Limitations. All Signs shall be subject to the applicable limitations set forth in Section 7041.

(b) Business and Civic Signs. The maximum aggregate area of display surface of all Business and Civic Signs on any one lot shall be 0.6 square foot for each one foot of abutting street line in the case of an interior lot, or 0.3 square foot for each one foot of abutting street line in the case of a corner lot. However, in either of the foregoing cases any such Sign located behind a display window and any such Sign with a display surface not greater than one square foot on any one face shall be exempt from said maximum aggregate area. No Business or Civic Sign which is attached to a building shall project outward from any wall thereof more than eight feet. No single Business or Civic Sign which is not attached to a building shall have a display surface greater than 60 square feet on any one face. All Business and Civic Signs shall be nonmoving. Illumination, if any, of all such Signs shall be nonflashing. Such Signs shall not, except in the case of Signs behind a display window and except for Civic Signs with a display surface not greater than one square foot on any one face, include any pennants, streamers, propellers, or similar devices.

(c) Development Signs. All Development Signs shall be located on the lot or tract referred to thereon and shall be permitted only for a one-year period, except that an off-site location or a longer time period may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200. No Development Sign which is attached to a building shall extend above the roof or parapet wall thereof. No Development Sign which is not attached to a building shall extend more than 24 feet

above finished grade. All Development Signs shall be nonmoving. Illumination, if any, of all such Signs shall be nonflashing. Such Signs shall not, except when attached to a building, include any pennants, streamers, propellers, or similar devices.

(d) Realty Signs. All Realty Signs shall be located on the same lot as the facilities advertised thereon, and shall be removed within seven days after occupancy, or change of occupancy, of the facilities. No Realty Sign which is attached to a building shall extend above the roof or parapet wall thereof. No Realty Sign which is not attached to a building shall extend more than six feet above finished grade. All Realty Signs shall be nonmoving. Illumination, if any, of all such Signs shall be nonflashing. Such Signs shall not, except when attached to a building, include any pennants, streamers, propellers, or similar devices.

SECTION 5414 MINIMUM LOT FRONTAGE. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 5417 MAXIMUM FLOOR-AREA RATIO. The maximum floor-area ratio of any facility shall be 0.50.

SECTION 5419 MAXIMUM HEIGHT. No general maximum height is prescribed, except that the height of facilities shall be limited, as prescribed in Section 7070, on lots lying along a boundary of any of certain other zones. But see Section 5413 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards.

SECTION 5420 MINIMUM YARDS. No yards are generally required except as indicated below. The following minimum yards shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090:

(a) Front Yard. The minimum front yard depth on every lot shall be 10 feet, except that a greater depth shall be required, as prescribed in Section 7078, in certain situations where part of the frontage on the same side of a block is in a residential zone.

(b) Side Yard - Street Side of Corner Lot. A side yard shall be provided, as prescribed in Section 7081, on the street side of a corner lot in certain situations where a lot to the rear of the corner lot is in a residential zone.

(c) Side Yard - Interior Lot Line. A side yard shall be provided, as prescribed in Section 7083, along an interior side lot line lying along a boundary of any of certain other zones.

(d) Rear Yard. A rear yard shall be provided, as prescribed in Section 7085, along a boundary of any of certain other zones.

#### SECTION 5422 BUFFERING AND LANDSCAPING.

(a) General Requirements. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

(b) Landscaped Front Yard. The minimum front yard required by

Sections 5420(a) and 7078 shall, except for necessary driveways and walkways, be developed with lawn, ground cover, garden, shrubs, or trees, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING at Section 8100.

SECTION 5424 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(c) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the M-10 Zone.



## M-20 LIGHT INDUSTRIAL ZONE REGULATIONS

SECTION 5600 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 5600 through Section 5624, inclusive, shall be known as the M-20 LIGHT INDUSTRIAL ZONE REGULATIONS. The M-20 Zone is intended to create, preserve, and enhance areas containing manufacturing and related establishments with limited external impact within an open and attractive setting, and is typically appropriate to locations adjacent to residential communities. These regulations shall apply in the M-20 Zone.

SECTION 5603 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Civic Activities:

- Essential Service
- Non-Assembly Cultural

(b) Commercial Activities:

- Food Sales and Service
- Convenience Sales and Service
- Business and Communication Service
- Research Service
- General Wholesale Sales
- Automotive Fee Parking

(c) Manufacturing Activities:

- Custom
- Light

(d) Off-street parking serving activities other than those listed above, subject to the conditions set forth in Section 7011.

SECTION 5604 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Civic Activities:

- Community Assembly
- Utility and Vehicular
- Extensive Impact

(b) Commercial Activities:

- Consumer Laundry and Repair Service
- Retail Business Supply
- Construction Sales and Service
- Automotive Servicing
- Automotive Repair and Cleaning
- Transport and Warehousing
- Animal Care

(c) Agricultural and Extractive Activities:

- Plant Nursery
- Crop and Animal Raising
- Mining and Quarrying

SECTION 5605 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Nonresidential Facilities:

Enclosed

(b) Signs:

Special

Development

Realty

Civic

Business

Advertising

SECTION 5606 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Nonresidential Facilities:

Open

Drive-In

SECTION 5608 MAXIMUM SIZE OF CERTAIN COMMERCIAL ESTABLISHMENTS. The maximum floor area devoted to Food Sales and Service or Convenience Sales and Service Commercial Activities by any single establishment shall be 3,000 square feet.

SECTION 5610 PERFORMANCE STANDARDS FOR COMMERCIAL AND MANUFACTURING ACTIVITIES. All Commercial and Manufacturing Activities shall be subject to the applicable provisions of the PERFORMANCE STANDARDS at Section 7700.

SECTION 5613 LIMITATIONS ON SIGNS.

(a) General Limitations. All Signs shall be subject to the applicable limitations set forth in Section 7041.

(b) Development Signs. All Development Signs shall be located on the lot or tract referred to thereon and shall be permitted only for a one-year period, except that an off-site location or a longer time period may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200. No Development Sign which is attached to a building shall extend above the roof or parapet wall thereof. No Development Sign which is not attached to a building shall extend more than 24 feet above finished grade. All Development Signs shall be nonmoving. Illumination, if any, of all such Signs shall be nonflashing. Such Signs shall not, except when attached to a building, include any pennants, streamers, propellers, or similar devices.

(c) Realty Signs. All Realty Signs shall be located on the same lot as the facilities advertised thereon, and shall be removed within seven days after occupancy, or change of occupancy, of the facilities. No Realty Sign which is attached to a building shall extend above the roof or parapet wall thereof. No Realty Sign which is not attached to a building shall extend more than six feet above finished grade. All Realty Signs shall be nonmoving. Illumination, if any, of all such Signs shall be nonflashing. Such Signs shall not, except when attached to a building, include any pennants, streamers, propellers, or similar devices.

SECTION 5614 MINIMUM LOT FRONTAGE. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 5619 MAXIMUM HEIGHT. Except as a greater height is allowed by Sections 7071 and 7075, the maximum height of buildings and other facilities shall be three stories and not exceeding 45 feet. See Section 5613 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards.

SECTION 5620 MINIMUM YARDS. No yards are generally required except as indicated below. The following minimum yards shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090:

(a) Front Yard. The minimum front yard depth on every lot shall be five feet, except that a greater depth shall be required, as prescribed in Section 7078, in certain situations where part of the frontage on the same side of a block is in a residential zone.

(b) Side Yard - Street Side of Corner Lot. A side yard shall be provided, as prescribed in Section 7081, on the street side of a corner lot in certain situations where a lot to the rear of the corner lot is in a residential zone.

(c) Side Yard - Interior Lot Line. A side yard shall be provided, as prescribed in Section 7083, along an interior side lot line lying along a boundary of any of certain other zones.

(d) Rear Yard. A rear yard shall be provided, as prescribed in Section 7085, along a boundary of any of certain other zones.

SECTION 5622 BUFFERING AND LANDSCAPING.

(a) General Requirements. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

(b) Landscaped Front Yard. The minimum front yard required by Sections 5620(a) and 7078 shall, except for necessary driveways and walkways, be developed with lawn, ground cover, garden, shrubs, or trees, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING at Section 8100.

SECTION 5624 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(c) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the M-20 Zone.



## M-30 GENERAL INDUSTRIAL ZONE REGULATIONS

SECTION 5700 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 5700 through Section 5724, inclusive, shall be known as the M-30 GENERAL INDUSTRIAL ZONE REGULATIONS. The M-30 Zone is intended to create, preserve, and enhance areas containing a wide range of manufacturing and related establishments, and is typically appropriate to areas providing a wide variety of sites with good rail or highway access. These regulations shall apply in the M-30 Zone.

SECTION 5703 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

- (a) Civic Activities:
  - Essential Service
  - Non-Assembly Cultural
  - Utility and Vehicular
- (b) Commercial Activities:
  - Food Sales and Service
  - Convenience Sales and Service
  - Business and Communication Service
  - Retail Business Supply
  - Research Service
  - General Wholesale Sales
  - Construction Sales and Service
  - Automotive Servicing
  - Automotive Fee Parking
  - Transport and Warehousing
- (c) Manufacturing Activities:
  - Custom
  - Light
  - General
- (d) Agricultural and Extractive Activities:
  - Plant Nursery
  - Crop and Animal Raising

(e) Off-street parking serving activities other than those listed above, subject to the conditions set forth in Section 7011.

SECTION 5704 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

- (a) Civic Activities:
  - Community Assembly
  - Extensive Impact
- (b) Commercial Activities:
  - Consumer Laundry and Repair Service
  - Group Assembly
  - Automotive Sales, Rental, and Delivery
  - Automotive Repair and Cleaning
  - Animal Care

(c) Agricultural and Extractive Activities:  
Mining and Quarrying

SECTION 5705 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Nonresidential Facilities:

Enclosed  
Open  
Drive-In

(b) Signs:

Special  
Development  
Realty  
Civic  
Business  
Advertising

SECTION 5708 MAXIMUM SIZE OF CERTAIN COMMERCIAL ESTABLISHMENTS. The maximum floor area devoted to Food Sales and Service or Convenience Sales and Service Commercial Activities by any single establishment shall be 3,000 square feet.

SECTION 5710 PERFORMANCE STANDARDS FOR COMMERCIAL AND MANUFACTURING ACTIVITIES WITHIN 400 FEET OF RESIDENTIAL ZONE. All Commercial and Manufacturing Activities which are located within 400 feet from any boundary of a residential zone shall be subject to the applicable provisions of the PERFORMANCE STANDARDS at Section 7700.

SECTION 5713 LIMITATIONS ON SIGNS. All Signs shall be subject to the applicable limitations set forth in Section 7041.

SECTION 5714 MINIMUM LOT FRONTAGE. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 5719 MAXIMUM HEIGHT. No general maximum height is prescribed, except that the height of facilities shall be limited, as prescribed in Section 7070, on lots lying along a boundary of any of certain other zones. But see Section 5713 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards.

SECTION 5720 MINIMUM YARDS. No yards are generally required except as indicated below. The following minimum yards shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090:

(a) Front Yard. A front yard shall be provided, as prescribed in Section 7078, in certain situations where part of the frontage on the same side of a block is in a residential zone.

(b) Side Yard - Street Side of Corner Lot. A side yard shall be provided, as prescribed in Section 7081, on the street side of a corner lot in certain situations where a lot to the rear of the corner lot is in a residential zone.

(c) Side Yard - Interior Lot Line. A side yard shall be provided, as prescribed in Section 7083, along an interior side lot line lying along a boundary of any of certain other zones.

(d) Rear Yard. A rear yard shall be provided, as prescribed in Section 7085, along a boundary of any of certain other zones.

SECTION 5722 BUFFERING. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

SECTION 5724 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(c) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the M-30 Zone.



## M-40 HEAVY INDUSTRIAL ZONE REGULATIONS

SECTION 5800 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 5800 through Section 5824, inclusive, shall be known as the M-40 HEAVY INDUSTRIAL ZONE REGULATIONS. The M-40 Zone is intended to create, preserve, and enhance areas containing manufacturing or related establishments which are potentially incompatible with most other establishments, and is typically appropriate to areas which are distant from residential areas and which have extensive rail or shipping facilities. These regulations shall apply in the M-40 Zone.

SECTION 5803 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Civic Activities:

- Essential Service
- Non-Assembly Cultural
- Utility and Vehicular

(b) Commercial Activities:

- Food Sales and Service
- Convenience Sales and Service
- Business and Communication Service
- Retail Business Supply
- Research Service
- General Wholesale Sales
- Construction Sales and Service
- Automotive Servicing
- Automotive Fee Parking
- Transport and Warehousing
- Scrap Operation

(c) Manufacturing Activities:

- Custom
- Light
- General

(d) Agricultural and Extractive Activities:

- Plant Nursery
- Crop and Animal Raising
- Mining and Quarrying

(e) Off-street parking serving activities other than those listed above, subject to the conditions set forth in Section 7011.

SECTION 5804 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Civic Activities:

- Community Assembly
- Extensive Impact

(b) Commercial Activities:

- Consumer Laundry and Repair Service
- Group Assembly
- Automotive Sales, Rental, and Delivery
- Automotive Repair and Cleaning
- Animal Care

(c) Manufacturing Activities:  
Heavy

SECTION 5805 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Nonresidential Facilities:

Enclosed  
Open  
Drive-In

(b) Signs:

Special  
Development  
Realty  
Civic  
Business  
Advertising

SECTION 5808 MAXIMUM SIZE OF CERTAIN COMMERCIAL ESTABLISHMENTS. The maximum floor area devoted to Food Sales and Service or Convenience Sales and Service Commercial Activities by any single establishment shall be 3,000 square feet.

SECTION 5809 SPECIAL REGULATIONS APPLYING TO SCRAP OPERATION COMMERCIAL ACTIVITIES.

(a) Location. Scrap Operation Commercial Activities shall not be located within 400 feet from the boundary of any other zone except the M-30 Zone.

(b) Screening and Storage. All Scrap Operation Commercial Activities shall, except for accessory off-street parking and maintenance of accessory landscaping and screening, be conducted entirely within an enclosed building, or behind a solid lumber, masonry, or sheet metal fence or wall not less than 10 feet high, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING at Section 8100. All openings in such fence or wall shall be equipped with solid gates or doors of the same height as the fence or wall, and said gates or doors shall be kept securely closed at such times as the establishment is not open for business. Open storage of vehicles or other scrap materials shall not exceed 20 feet in height.

(c) Signs. See Section 5813(b).

SECTION 5813 LIMITATIONS ON SIGNS.

(a) General Limitations. All Signs shall be subject to the applicable limitations set forth in Section 7041.

(b) Signs Relating to Scrap Operation Commercial Activities. No Sign except for an identification Sign required by state law shall be located on any fence or screening wall surrounding Scrap Operation Commercial Activities.

SECTION 5814 MINIMUM LOT FRONTAGE. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 5819 MAXIMUM HEIGHT. No general maximum height is prescribed, except that the height of facilities shall be limited, as prescribed in Section 7070, on lots lying along a boundary of any of certain other zones. But see Section 5813 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards.

SECTION 5820 MINIMUM YARDS. No yards are generally required except as indicated below. The following minimum yards shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090:

(a) Front Yard. A front yard shall be provided, as prescribed in Section 7078, in certain situations where part of the frontage on the same side of a block is in a residential zone.

(b) Side Yard - Street Side of Corner Lot. A side yard shall be provided, as prescribed in Section 7081, on the street side of a corner lot in certain situations where a lot to the rear of the corner lot is in a residential zone.

(c) Side Yard - Interior Lot Line. A side yard shall be provided, as prescribed in Section 7083, along an interior side lot line lying along a boundary of any of certain other zones,

(d) Rear Yard. A rear yard shall be provided, as prescribed in Section 7085, along a boundary of any of certain other zones.

SECTION 5822 BUFFERING. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein. See also Section 5809(b).

SECTION 5824 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(c) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the M-40 Zone.



## REGULATIONS APPLYING IN INDIVIDUAL SPECIAL ZONES

### S-1 MEDICAL CENTER ZONE REGULATIONS

SECTION 6100 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 6100 through Section 6124, inclusive, shall be known as the S-1 MEDICAL CENTER ZONE REGULATIONS. The S-1 Zone is intended to create, preserve, and enhance areas devoted primarily to medical facilities and auxiliary uses, and is typically appropriate to compact areas around large hospitals. These regulations shall apply in the S-1 Zone.

SECTION 6102 DESIGN REVIEW FOR CONSTRUCTION OR ALTERATION. No building, Sign, or other facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the DESIGN REVIEW PROCEDURE at Section 9300.

SECTION 6103 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Activities:

- Permanent
- Semi-Transient

(b) Civic Activities:

- Essential Service
- Limited Child-Care
- Nursing Home
- Community Assembly
- Community Education
- Non-Assembly Cultural
- Health Care

(c) Commercial Activities:

- Medical Service

SECTION 6104 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Civic Activities:

- Administrative
- Utility and Vehicular
- Extensive Impact

(b) Commercial Activities:

- Food Sales and Service
- Convenience Sales and Service
- General Personal Service
- Consultative and Financial Service
- Administrative
- Group Assembly

Business and Communication Service  
Retail Business Supply  
Research Service  
Automotive Fee Parking  
Animal Care

(c) Off-street parking serving activities other than those listed above or in Section 6103, subject to the conditions set forth in Section 7011.

SECTION 6105 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

(a) Residential Facilities:

One-Family Dwelling  
Two-Family Dwelling  
Multi-Family Dwelling  
Rooming House

(b) Nonresidential Facilities:

Enclosed

(c) Signs:

Residential  
Special  
Development  
Realty  
Civic  
Business

SECTION 6106 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

(a) Nonresidential Facilities:

Open

SECTION 6108 SPECIAL REGULATIONS APPLYING TO CERTAIN COMMERCIAL ACTIVITIES. All conditionally permitted Commercial Activities other than Automotive Fee Parking shall, except for accessory off-street parking and loading and maintenance of accessory landscaping and screening, be conducted entirely within enclosed buildings which are primarily occupied by permitted activities, with customer access only through the lobby of such a building. No such activity shall be located above the first story of any building. The maximum floor area devoted to such activities by any single establishment shall be 3,000 square feet.

SECTION 6111 USE PERMIT CRITERIA FOR COMMERCIAL ACTIVITIES. A conditional use permit for any conditionally permitted Commercial Activity may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the CONDITIONAL USE PERMIT PROCEDURE at Section 9200 and to both of the following use permit criteria:

(a) That the proposed activity is intended primarily to serve the medical center area in which it is located or the patients, practitioners, or employees of the center, and will not attract any substantial patronage from other sources.

(b) That the proposed activity will not attract vehicular traffic which will create or aggravate traffic congestion or interfere with the movement of traffic generated by permitted activities.

SECTION 6113 LIMITATIONS ON SIGNS. All Signs shall be subject to the applicable limitations set forth in Section 7042.

SECTION 6114 MINIMUM LOT AREA, WIDTH, AND FRONTAGE. Every lot shall have a minimum lot area of 4,000 square feet and a minimum lot width of 25 feet, except as a lesser area or width is allowed by Section 7050. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 6115 MAXIMUM RESIDENTIAL DENSITY. Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 3865 for the R-80 Zone.

SECTION 6117 MAXIMUM FLOOR-AREA RATIO. The maximum floor-area ratio of any facility shall be as follows, subject to the provisions of Section 7053 with respect to maximum floor-area ratio on lots containing both Residential and Nonresidential Facilities:

(a) Permitted Floor-Area Ratio. The maximum permitted floor-area ratio is 4.00, except that this ratio may be exceeded by 10 percent on any corner lot and may also be exceeded by 10 percent on any lot which faces or abuts a public park at least as wide as the lot.

(b) Conditionally Permitted Floor-Area Ratio. The floor-area ratio permitted by subsection (a) may be increased by not to exceed 50 percent upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, in each of the following situations:

1. In the case of a Residential Facility with more than four stories containing living units, subject to the provisions of Section 7057.
2. For any facility, upon the acquisition of development rights from nearby lots, subject to the provisions of Section 7058.

SECTION 6119 MAXIMUM HEIGHT. No general maximum height is prescribed, except that the height of facilities shall be limited, as prescribed in Section 7070, on lots lying along a boundary of any of certain other zones. But see Section 6113 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards and courts.

SECTION 6120 MINIMUM YARDS AND COURTS. The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090:

(a) Front Yard. The minimum front yard depth on every lot shall be 10 feet.

(b) Side Yard - Street Side of Corner Lot. The minimum side yard width on the street side of every corner lot shall be 10 feet.

(c) Side Yard - Interior Lot Line. No side yard is generally required along an interior side lot line except as follows:



1. A side yard shall be provided, when and as prescribed in Section 7082, for Residential Facilities.
2. A side yard shall be provided, as prescribed in Section 7083, along an interior side lot line lying along a boundary of any of certain other zones.

(d) Rear Yard. The minimum rear yard depth on every lot shall be 10 feet, except as a lesser depth is allowed by Section 7086.

(e) Courts. On each lot containing a Residential Facility, courts shall be provided when and as required by Section 7087.

SECTION 6121 MINIMUM USABLE OPEN SPACE. Usable open space shall be provided for Residential Facilities in accordance with the same requirements as are set forth in Section 3871 for the R-80 Zone.

SECTION 6122 BUFFERING. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

SECTION 6124 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Home Occupations. Home occupations shall be subject to the applicable provisions of the HOME OCCUPATION REGULATIONS at Section 7300.

(c) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(d) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the S-1 Zone.

## S-2 CIVIC CENTER ZONE REGULATIONS

SECTION 6150 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 6150 through Section 6174, inclusive, shall be known as the S-2 CIVIC CENTER ZONE REGULATIONS. The S-2 Zone is intended to create, preserve, and enhance areas devoted primarily to major public and quasi-public facilities and auxiliary uses, and is typically appropriate to portions of the Oakland Central District and to outlying areas of public facilities. These regulations shall apply in the S-2 Zone.

SECTION 6153 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

- (a) Residential Activities:
  - Permanent
  - Semi-Transient
- (b) Civic Activities:
  - Essential Service
  - Limited Child-Care
  - Nursing Home
  - Community Assembly
  - Community Education
  - Non-Assembly Cultural
  - Administrative
- (c) Commercial Activities:
  - Medical Service
  - Consultative and Financial Service
  - Administrative

SECTION 6154 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

- (a) Civic Activities:
  - Health Care
  - Utility and Vehicular
  - Extensive Impact
- (b) Commercial Activities:
  - Food Sales and Service
  - Convenience Sales and Service
  - General Retail Sales
  - General Personal Service
  - Consumer Laundry and Repair Service
  - Group Assembly
  - Business and Communication Service
  - Retail Business Supply
  - Research Service
  - Transient Habitation
  - Automotive Servicing
  - Automotive Fee Parking
- (c) Off-street parking serving activities other than those listed above or in Section 6153, subject to the conditions set forth in Section 7011.

SECTION 6155 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

- (a) Residential Facilities:
  - One-Family Dwelling
  - Two-Family Dwelling
  - Multi-Family Dwelling
  - Rooming House
- (b) Nonresidential Facilities:
  - Enclosed
- (c) Signs:
  - Residential
  - Special
  - Development
  - Realty
  - Civic
  - Business

SECTION 6156 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

- (a) Nonresidential Facilities:
  - Open
  - Drive-In

SECTION 6158 SPECIAL REGULATIONS APPLYING TO CERTAIN COMMERCIAL ACTIVITIES. All conditionally permitted Commercial Activities other than Automotive Fee Parking shall, except for accessory off-street parking and loading and maintenance of accessory landscaping and screening, be conducted entirely within enclosed buildings which are primarily occupied by permitted activities.

SECTION 6161 USE PERMIT CRITERIA FOR COMMERCIAL ACTIVITIES. A conditional use permit for any conditionally permitted Commercial Activity may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the CONDITIONAL USE PERMIT PROCEDURE at Section 9200 and to all of the following use permit criteria:

- (a) That the proposed activity is intended primarily to serve the civic center area in which it is located or the employees and patrons of the center, and will not attract any substantial patronage from other sources.
- (b) That the proposed activity will not attract vehicular traffic which will create or aggravate traffic congestion or interfere with the movement of traffic generated by permitted activities.
- (c) That the proposed activity is accommodated or served by facilities of such size, design, and location as will tend to keep the activity subordinate in impact and function to permitted activities within the civic center area.

SECTION 6163 LIMITATIONS ON SIGNS. All Signs shall be subject to the applicable limitations set forth in Section 7042.



SECTION 6164 MINIMUM LOT AREA, WIDTH, AND FRONTAGE. Every lot shall have a minimum lot area of 4,000 square feet and a minimum lot width of 25 feet, except as a lesser area or width is allowed by Section 7050. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 6165 MAXIMUM RESIDENTIAL DENSITY. Residential uses shall be subject to the same maximum density and other, related regulations as are set forth in Section 3865 for the R-80 Zone.

SECTION 6167 MAXIMUM FLOOR-AREA RATIO. The maximum floor-area ratio of any facility shall be as set forth below, subject to the provisions of Section 7053 with respect to maximum floor-area ratio on lots containing both Residential and Nonresidential Facilities:

(a) Permitted Floor-Area Ratio. The maximum permitted floor-area ratio is 3.00, except that this ratio may be exceeded by 10 percent on any corner lot and may also be exceeded by 10 percent on any lot which faces or abuts a public park at least as wide as the lot.

(b) Conditionally Permitted Floor-Area Ratio. The floor-area ratio permitted by subsection (a) may be increased by not to exceed 50 percent upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, in each of the following situations:

1. In the case of a Residential Facility with more than four stories containing living units, subject to the provisions of Section 7057.
2. For any facility, upon the acquisition of development rights from nearby lots, subject to the provisions of Section 7058.

SECTION 6169 MAXIMUM HEIGHT. No general maximum height is prescribed, except that the height of facilities shall be limited, as prescribed in Section 7070, on lots lying along a boundary of any of certain other zones. But see Section 6163 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards and courts.

SECTION 6170 MINIMUM YARDS AND COURTS. The following minimum yards and courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090:

(a) Front Yard. The minimum front yard depth on every lot shall be 10 feet.

(b) Side Yard - Street Side of Corner Lot. The minimum side yard width on the street side of every corner lot shall be 10 feet.

(c) Side Yard - Interior Lot Line. No side yard is generally required along an interior side lot line except as follows:

1. A side yard shall be provided, when and as prescribed in Section 7082, for Residential Facilities.
2. A side yard shall be provided, as prescribed in Section 7083, along an interior side lot line lying along a boundary of any of certain other zones.

(d) Rear Yard. The minimum rear yard depth on every lot shall be 10 feet, except as a lesser depth is allowed by Section 7086.

(e) Courts. On each lot containing a Residential Facility, courts shall be provided when and as required by Section 7087.

SECTION 6171 MINIMUM USABLE OPEN SPACE. Usable open space shall be provided for Residential Facilities in accordance with the same requirements as are set forth in Section 3871 for the R-80 Zone.

SECTION 6172 BUFFERING. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

SECTION 6174 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Home Occupations. Home occupations shall be subject to the applicable provisions of the HOME OCCUPATION REGULATIONS at Section 7300.

(c) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(d) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the S-2 Zone.

## S-3 RESEARCH CENTER ZONE REGULATIONS

SECTION 6200 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 6200 through Section 6224, inclusive, shall be known as the S-3 RESEARCH CENTER ZONE REGULATIONS. The S-3 Zone is intended to create, preserve, and enhance areas devoted primarily to conference, research, administrative, and recreational activities in attractive surroundings conducive to such pursuits, and is typically appropriate to relatively secluded locations. These regulations shall apply in the S-3 Zone.

SECTION 6202 DESIGN REVIEW FOR CONSTRUCTION OR ALTERATION. No building, Sign, or other facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the DESIGN REVIEW PROCEDURE at Section 9300.

SECTION 6203 PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

- (a) Civic Activities:
  - Essential Service
  - Non-Assembly Cultural
- (b) Commercial Activities:
  - Administrative
  - Research Service

SECTION 6204 CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

- (a) Civic Activities:
  - Community Assembly
  - Administrative
  - Utility and Vehicular
  - Extensive Impact

SECTION 6205 PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted:

- (a) Nonresidential Facilities:
  - Enclosed
- (b) Signs:
  - Special
  - Development
  - Realty
  - Civic
  - Business

SECTION 6206 CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted upon the granting of a conditional use permit



pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200:

- (a) Nonresidential Facilities:  
Open

SECTION 6210 PERFORMANCE STANDARDS FOR COMMERCIAL ACTIVITIES. All Commercial Activities shall be subject to the applicable provisions of the PERFORMANCE STANDARDS at Section 7700.

SECTION 6213 LIMITATIONS ON SIGNS. All Signs shall be subject to the applicable limitations set forth in Section 7042.

SECTION 6214 MINIMUM LOT AREA, WIDTH, AND FRONTAGE. Every lot shall have a minimum lot area of two acres and a minimum lot width of 100 feet. Every lot shall have a minimum frontage of 25 feet upon a street, except as this requirement is modified by Section 7051.

SECTION 6217 MAXIMUM FLOOR-AREA RATIO. The maximum floor-area ratio of any facility shall be 0.50.

SECTION 6219 MAXIMUM HEIGHT. Except for the ~~vertical~~ projections allowed by Section 7075, no building shall exceed three stories in height unless such building, or that portion thereof which exceeds three stories in height, is set back from the inner line of each of the minimum side yards required by Section 6220(c) a minimum horizontal distance equal to eight feet for each story by which it exceeds three stories in height. See Section 6213 for maximum height of Signs, and Section 7090 for maximum height of facilities within minimum yards.

SECTION 6220 MINIMUM YARDS. The following minimum yards shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090:

(a) Front Yard. The minimum front yard depth on every lot shall be 50 feet.

(b) Side Yard - Street Side of Corner Lot. The minimum side yard width on the street side of every corner lot shall be 50 feet.

(c) Side Yard - Interior Lot Line. The minimum width of the side yard along any single interior side lot line of any lot shall be 20 feet. The minimum combined width of both such side yards shall be 50 feet.

(d) Rear Yard. The minimum rear yard depth on every lot shall be 30 feet, except as a lesser depth is allowed by Section 7086 and except that the minimum rear yard depth shall be 50 feet along any portion of a rear lot line which abuts a lot in any residential zone.

SECTION 6222 BUFFERING AND LANDSCAPING.

(a) General Requirements. All uses shall be subject to the applicable requirements of the BUFFERING REGULATIONS at Section 7100 with respect to screening or location of parking, loading, and storage areas; control of artificial illumination; and other matters specified therein.

(b) Buffer Strip. A strip of dense landscaping not less than five and one-half feet high and 10 feet wide, and including trees,

shall be provided along all lot lines which abut a lot in any residential zone, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING at Section 8100 and the exceptions stated in said chapter.

(b) Landscaping Coverage. A minimum of 40 percent of the lot area of each lot shall be developed with lawn, ground cover, garden, shrubs, or trees, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING.

#### SECTION 6224 OTHER ZONING PROVISIONS.

(a) Parking and Loading. Off-street parking and loading shall be provided as prescribed in the OFF-STREET PARKING AND LOADING REQUIREMENTS at Section 7500.

(b) Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(c) General Provisions. The general exceptions and other regulations set forth in Section 7000 through Section 7039, inclusive, shall apply in the S-3 Zone.

## S-4 DESIGN REVIEW COMBINING ZONE REGULATIONS

SECTION 6250 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 6250 through Section 6274, inclusive, shall be known as the S-4 DESIGN REVIEW COMBINING ZONE REGULATIONS. The S-4 Zone is intended to create, preserve, and enhance the visual harmony and attractiveness of areas which require special treatment and the consideration of relationships between facilities, and is typically appropriate to areas of special civic or historical significance. These regulations shall apply in the S-4 Zone, and are supplementary to the regulations applying in the zones with which the S-4 Zone is combined.

SECTION 6251 ZONES WITH WHICH S-4 ZONE MAY BE COMBINED. The S-4 Zone may be combined with any other zone.

SECTION 6252 DESIGN REVIEW FOR CONSTRUCTION OR ALTERATION. In the S-4 Zone no building, Sign, or other facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the DESIGN REVIEW PROCEDURE at Section 9300.



## S-5 TRAVEL ACCOMMODATION COMBINING ZONE REGULATIONS

SECTION 6300 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 6300 through Section 6324, inclusive, shall be known as the S-5 TRAVEL ACCOMMODATION COMBINING ZONE REGULATIONS. The S-5 Zone is intended to create, preserve, and enhance areas providing sleeping accommodations and other services to travelers in convenient locations, and is typically appropriate along major thoroughfares used by inter-city traffic. These regulations shall apply in the S-5 Zone, and are supplementary to the regulations applying in the zones with which the S-5 Zone is combined.

SECTION 6301 ZONES WITH WHICH S-5 ZONE MAY BE COMBINED. The S-5 Zone may be combined only with a residential or commercial zone.

SECTION 6303 ADDITIONAL PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted in addition to those permitted in the zones with which the S-5 Zone is combined:

- (a) Commercial Activities:
  - Transient Habitation

SECTION 6304 ADDITIONAL CONDITIONALLY PERMITTED ACTIVITIES. The following activities, as described in the USE CLASSIFICATIONS at Section 2200, may, upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, be permitted in addition to the activities conditionally permitted in the zones with which the S-5 Zone is combined:

- (a) Commercial Activities:
  - Food Sales and Service
  - Convenience Sales and Service

SECTION 6305 ADDITIONAL PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted in addition to those permitted in the zones with which the S-5 Zone is combined:

- (a) Signs:
  - Business

SECTION 6306 ADDITIONAL CONDITIONALLY PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, may, upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, be permitted in addition to the facilities conditionally permitted in the zones with which the S-5 Zone is combined:

- (a) Nonresidential Facilities:
  - Drive-In

SECTION 6313 LIMITATIONS ON BUSINESS SIGNS SERVING TRANSIENT HABITATION COMMERCIAL ACTIVITIES.

(a) In Residential Zones. When the S-5 Zone is combined with any residential zone, Business Signs serving Transient Habitation Commercial Activities shall be subject to the following limitations instead of those generally applying to Signs in the residential zone. The maximum aggregate area of display surface of all such Signs on any one lot shall be 65 square feet. No such Sign shall extend more than 35 feet above finished grade, nor project beyond any lot line. All such Signs shall be nonmoving. Illumination, if any, of all such Signs shall be nonflashing. Such Signs shall not, except in the case of Signs behind a display window, include any pennants, streamers, propellers, or similar devices.

(b) In Commercial Zones. When the S-5 Zone is combined with any commercial zone, Business Signs serving Transient Habitation Commercial Activities shall be subject to the limitations generally applying to Signs in the commercial zone.

SECTION 6320 MINIMUM YARDS FOR FACILITIES ACCOMMODATING TRANSIENT HABITATION COMMERCIAL ACTIVITIES - RESIDENTIAL ZONES. When the S-5 Zone is combined with any residential zone, the following minimum yards shall be provided for facilities accommodating Transient Habitation Commercial Activities. Such yards are not required when the S-5 Zone is combined with a commercial zone. The yards required by this section shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090.

(a) Front Yard. The minimum front yard depth for all such facilities shall be 10 feet, except as a lesser depth is allowed by Section 7079 on steep lots.

(b) Side Yard - Street Side of Corner Lot. The minimum side yard width for all such facilities on the street side of a corner lot shall be five feet.

(c) Rear Yard. The minimum rear yard depth for all such facilities shall be 10 feet, except as a lesser depth is allowed by Section 7086.

## S-6 MOBILE HOME PARK COMBINING ZONE REGULATIONS

SECTION 6350 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 6350 through Section 6374, inclusive, shall be known as the S-6 MOBILE HOME PARK COMBINING ZONE REGULATIONS. The S-6 Zone is intended to create, preserve, and enhance areas containing attractive Mobile Home parks, and is typically appropriate to a variety of living environments with good access to major thoroughfares. These regulations shall apply in the S-6 Zone, and are supplementary to the regulations applying in the zones with which the S-6 Zone is combined.

SECTION 6351 ZONES WITH WHICH S-6 ZONE MAY BE COMBINED. The S-6 Zone may be combined only with a residential or commercial zone other than the C-20 and C-60 Zones.

SECTION 6355 ADDITIONAL PERMITTED FACILITIES. The following facilities, as described in the USE CLASSIFICATIONS at Section 2200, are permitted in addition to those permitted in the zones with which the S-6 Zone is combined:

- (a) Residential Facilities:
  - Mobile Home

### SECTION 6358 MOBILE HOME PARK STANDARDS.

(a) Minimum Size. Mobile Home Residential Facilities shall not be located on any lot having a lot area of less than 45,000 square feet.

(b) Maximum Density. The maximum density in a Mobile Home park shall be one Mobile Home for each 3,300 square feet of lot area in such park.

(c) Minimum Usable Open Space. Group usable open space shall be provided in the minimum amount of 300 square feet per Mobile Home. Private usable open space may be substituted for such group space in the ratio prescribed in Section 8301, except that actual group space shall be provided in the minimum amount of 150 square feet per Mobile Home. All required space shall conform to the STANDARDS FOR REQUIRED USABLE OPEN SPACE at Section 8300.

(d) Landscaping. All areas in a Mobile Home park which are not devoted to Mobile Home pads, walkways, driveways, parking or loading areas, patios, usable open space, or recreation or service facilities shall be developed with lawn, ground cover, garden, shrubs, or trees, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING at Section 8100. Dense landscaping not less than five and one-half feet high and not less than three feet wide shall be provided along all lot lines, exclusive of necessary walkways and driveways, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING and the exceptions stated therein.

(e) Walkways. Walkways shall provide direct access between abutting streets and all individual Mobile Home sites.

SECTION 6359 MOBILE HOME SITE STANDARDS. The site for each individual Mobile Home shall have a minimum area of 2,000 square feet and a minimum width of 30 feet. No Mobile Home shall be closer than 20 feet to any other Mobile Home or to any street line, nor closer than 10 feet to any lot line other than a street line.



## S-7 DESIGN CONSERVATION COMBINING ZONE REGULATIONS

SECTION 6400 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 6400 through Section 6424, inclusive, shall be known as the S-7 DESIGN CONSERVATION COMBINING ZONE REGULATIONS. The S-7 Zone is intended to preserve and enhance the cultural, esthetic, and economic value of structures, sites, and areas of special importance due to historical association, basic architectural merit, or the embodiment of a style or special type of construction, and is typically appropriate to selected older areas of the City. These regulations shall apply in the S-7 Zone, and are supplementary to the regulations applying in the zones with which the S-7 Zone is combined.

SECTION 6401 ZONES WITH WHICH S-7 ZONE MAY BE COMBINED. The S-7 Zone may be combined with any other zone.

SECTION 6402 DESIGN REVIEW FOR CONSTRUCTION, ALTERATION, DEMOLITION, OR REMOVAL. In the S-7 Zone no building, Sign, or other facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, and no structure shall be demolished or removed, unless such proposal shall have been approved pursuant to the DESIGN REVIEW PROCEDURE at Section 9300 and the applicable provisions of Sections 6403, 6404, and 6405. However, demolition or removal shall be permitted without such approval upon a determination by the Building and Housing Administrator or other appropriate officer or body that immediate demolition is necessary to protect the public health or safety, or after expiration of the periods of postponement referred to in Section 6405. Whenever it is proposed that demolition or removal be followed within a reasonable period of time by new construction, review of the new construction shall take place in conjunction with review of the demolition or removal.

SECTION 6403 DESIGN REVIEW CRITERIA FOR CONSTRUCTION OR ALTERATION. Design review approval for construction, establishment, alteration, or painting of a facility may be granted only upon determination that the proposal conforms to the general design review criteria set forth in the DESIGN REVIEW PROCEDURE at Section 9300 and to both of the following additional design review criteria:

(a) That the proposal will not substantially impair the visual, architectural, or historic value of the affected site or facility. Consideration shall be given to design, form, scale, color, materials, texture, lighting, detailing and ornamentation, landscaping, parking, Signs, and any other relevant design element or effect, and, where applicable, the relation of the above to the original design of the affected facility.

(b) That the proposed development will not substantially impair the visual, architectural, or historic value of the total setting or character of the surrounding area or of neighboring facilities. Consideration shall be given to integration with, and subordination to, the desired overall character of any such area or grouping of facilities. All design elements or effects specified in subsection (a) shall be so considered.

SECTION 6404 DESIGN REVIEW CRITERIA FOR DEMOLITION OR REMOVAL.  
Design review approval, pursuant to Section 6402, for demolition or removal of a structure may be granted only upon determination that the proposal conforms to the design review criteria set forth in subsections (a) and (b), or to one or both of the criteria set forth in subsection (c):

(a) That the affected structure is not considered irreplaceable in terms of its visual, cultural, or educational value to the area or community.

(b) That the proposed demolition or removal will not substantially impair the visual, architectural, or historic value of the total setting or character of the surrounding area or of neighboring facilities.

(c) If the proposal does not conform to the criteria set forth in subsections (a) and (b):

1. That the structure is in such condition that it is not architecturally feasible to preserve or restore it; or
2. That, considering the economic feasibility of preserving or restoring the structure, and balancing the interest of the public in such preservation or restoration and the interest of the owner of the property in the utilization thereof, approval is required by considerations of equity.

SECTION 6405 PERIOD OF POSTPONEMENT OF DEMOLITION OR REMOVAL.  
If an application for approval of demolition or removal of a structure, pursuant to Sections 6402 and 6404, is denied, the issuance of a permit for demolition or removal shall be deferred for a period of 120 days, during which time the Director of City Planning or the City Planning Commission shall explore all means by which the affected structure may be preserved or restored. At any time before the expiration of said 120 days the original reviewing officer or body may, after notice and hearing, extend said period for not more than 120 additional days. Such extension shall be made only upon evidence that substantial progress has been made toward securing the preservation or restoration of the structure.



## REGULATIONS APPLYING IN ALL OR SEVERAL ZONES

### GENERAL REGULATIONS

#### GENERAL PROVISIONS

SECTION 7000 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 7000 through Section 7099, inclusive, shall be known as the GENERAL REGULATIONS. The purpose of these provisions is to set forth certain of the regulations which apply throughout the City or in several zones. These regulations shall apply in the zones and situations specified hereinafter.

SECTION 7001 SUPPLEMENTAL ZONING PROVISIONS. The definitions, special use classification rules, and other provisions set forth in Section 2000 through Section 2999, inclusive; the provisions of Section 7090; the NONCONFORMING USE REGULATIONS at Section 7400; the rezoning, variance, and other provisions set forth in Section 9000 through Section 9999, inclusive; and the provisions of the ZONING MAPS at Section 10000 shall apply throughout the City. The provisions of the PERFORMANCE STANDARDS at Section 7700 and the PLANNED UNIT DEVELOPMENT REGULATIONS at Section 7800 shall apply in the zones and situations specified in said chapters. The provisions of development control maps are in addition to, or supersede when so specified, the regulations applying in the zones covering the same areas.

#### SECTION 7003 EFFECT OF PRIOR PERMITS.

(a) Building and Sign Permits. Whenever any building permit or sign permit has been issued or applied for prior to the effective date of the ZONING REGULATIONS or of any subsequent rezoning or other amendment thereto, and the proposed uses or change therein would not conform to said regulations or amendment thereto, such uses may nevertheless be developed or changed to the extent authorized by the permit. If said permit expires it shall not be renewed. Such uses shall be deemed nonconforming uses, and shall be subject to the NONCONFORMING USE REGULATIONS at Section 7400.

(b) Conditional Use Permits, Variances, and Other Special Zoning Approvals. Except as otherwise provided in Section 7004, whenever any subsisting conditional use permit, variance, or other special zoning approval has been granted or applied for prior to the effective date of the ZONING REGULATIONS or of any subsequent rezoning or other amendment thereto, and the proposed or affected uses or change therein would not or do not conform to said regulations or amendment thereto, such uses may nevertheless, to the extent authorized by the zoning approval, be developed or changed, and continued or maintained indefinitely except as otherwise specified in such approval. Such uses shall be subject to the plans and other special conditions upon the basis of which the approval was or is granted.



SECTION 7004 REVOCATION OF UNUSED PRIOR ZONING APPROVALS AFTER ONE YEAR. Unless a specific termination date has been prescribed in the granting thereof, all conditional use permits, variances, and other special zoning approvals granted prior to the effective date of the ZONING REGULATIONS shall become void one year after said effective date unless the privileges granted by such approval have been exercised before the end of such period by the beginning of actual construction or alteration of, or other change in, the authorized facilities or actual commencement of the authorized activities.

SECTION 7006 APPLICATION OF ZONING REGULATIONS TO LOTS DIVIDED BY ZONE BOUNDARIES. Wherever it is found, after applying the rules set forth in Section 10011 for interpretation of zone boundaries, that any lot is divided by a boundary between zones, the provisions of the ZONING REGULATIONS shall apply as follows to such lot:

(a) Application of All Regulations of One Zone to Existing Lot If Boundary is Near Lot Line. If the lot was on the effective date of the ZONING REGULATIONS, or of a subsequent rezoning or other amendment thereto resulting in division of the lot by a zone boundary, and continuously thereafter has been, of record, the owner or developer of such lot, or of a portion or combination of such lot or lots, may at his option assume that all the regulations applying in any zone covering 50 percent or more of the lot area apply to the entire lot or lots. However, this option shall not apply unless the entire lot or all such lots or parcel of land could be included in such zone by shifting the affected zone boundary by not more than 30 feet, as measured perpendicularly to said boundary at any point.

(b) Application of Regulations Where Subsection (a) is Inoperative. Wherever the provisions of subsection (a) do not apply or the option provided therein is not exercised:

1. No activity type or facility type is allowed on any portion of the lot located in a zone where such type is not generally allowed, except for the accessory uses allowed by Sections 7006(b)2 and 7006(b)3.
2. Accessory off-street parking and loading may be located on the lot without regard for zone boundaries; provided that no parking or loading shall be located on any portion of the lot located in a zone where the principal activity served is not generally allowed, except as such parking is specifically allowed by the applicable individual ZONE REGULATIONS subject to the conditions set forth in Section 7011; and further provided that parking and loading shall be subject to a conditional use permit requirement or other special controls on any portion of the lot located in any zone where such controls generally apply to parking or loading. The total amount of required parking and loading shall be calculated separately on the basis of the amount of the served

- use and the requirements applying in each zone; provided that the minimum size for which any parking or loading is required shall be deemed to be exceeded if it is exceeded by the total of such use on the entire lot.
3. Accessory landscaping, fences, screening or retaining walls, and usable open space may be located on the lot without regard for zone boundaries. The total amount of required usable open space shall be calculated separately on the basis of the number of living units and the usable open space requirements in each zone; provided that where reference is made in such requirement to the total number of living units on a lot, the number on the entire lot shall be considered.
  4. The maximum permitted or conditionally permitted number of living units or floor-area ratio, if any, on the lot shall be calculated separately on the basis of the amount of lot area and the density ratio and floor-area ratio applying in each zone. The resulting maximum permitted or conditionally permitted total number of living units or amount of floor area may be distributed on the lot without regard for zone boundaries, except as otherwise provided in Section 7006(b)1 and except that the number of living units and amount of floor area within each zone shall not exceed the number or amount which would be allowed on the entire lot if it were completely within such zone.
  5. The minimum lot area, width, and frontage requirements of the zone which covers the greater or greatest portion of the lot area of the lot shall apply to the entire lot. If the lot area is divided equally between two or more zones, the owner or developer of the lot may assume that the minimum lot area, width, and frontage requirements of either or any of such zones apply to the entire lot.
  6. All regulations not covered above shall apply separately to the portion of the lot within each zone, provided that where reference is made in such regulation to the total quantity of living units or other unit of measurement on a lot, the quantity on the entire lot shall be considered.

#### SECTION 7008 PERMITTED AND CONDITIONALLY PERMITTED USES.

(a) Other Uses Prohibited. Except as otherwise provided in Sections 7003 and 7006, the NONCONFORMING USE REGULATIONS at Section 7400, and the PLANNED UNIT DEVELOPMENT REGULATIONS at Section 7800, or as authorized pursuant to the VARIANCE PROCEDURE at Section 9600, no land shall be improved or used for any activity or facility which is not listed as permitted or conditionally permitted in the applicable individual ZONE REGULATIONS or development control maps.



(b) Relationship Between Activities and Facilities. A use must qualify under the ZONING REGULATIONS both as an activity and as a facility. A permitted or conditionally permitted activity may be accommodated or served only by a permitted facility or, upon the granting of a conditional use permit, by a conditionally permitted facility; and a permitted or conditionally permitted facility may accommodate or serve, or be designed to accommodate or serve, only a permitted activity or, upon the granting of a conditional use permit, a conditionally permitted activity.

SECTION 7011 CONDITIONS FOR ACCESSORY PARKING SERVING ACTIVITIES WHICH ARE NOT THEMSELVES ALLOWED. The following regulations shall apply to parking serving principal activities which are not themselves permitted, wherever such parking is listed in the applicable individual ZONE REGULATIONS as permitted or conditionally permitted subject to the conditions set forth in this section:

(a) General Conditions. In all zones, such parking facilities shall be used for accessory parking only, with no sales, dead storage, repair work, dismantling, or servicing of any kind.

(b) Conditions in Residential Zones. In all residential zones:

1. Such parking shall not in any case be located farther than 150 feet, excluding the width of any intervening street, from the nearest boundary of any nonresidential zone, as measured perpendicularly from said boundary at any point; and
2. Such parking shall not be so located as to extend along any one side of any street farther into any residential zone than any residentially zoned lot which is in separate ownership and which has frontage on the same side of the same street as said parking, other than a lot developed only for parking; and
3. Such parking facilities shall be open only; and
4. All Signs serving such parking shall be subject to the limitations set forth in Section 7040(g)3.

SECTION 7013 RESTRICTION ON REMOVAL OF DIRT OR OTHER MINERALS - RESIDENTIAL AND S-1, S-2, AND S-3 ZONES. In all residential zones and in the S-1, S-2, and S-3 Zones, no grading or excavation shall involve the removal of any soil, rock, sand, or other material for purposes of sale, fill, building, or other construction usage off the premises from which removed, unless a conditional use permit for such removal is granted pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200. However, excavations in any street, alley, or other public place and excavations for foundations, basements, or cellars for the erection of any buildings for which a building permit has been issued shall be exempt from the above restriction.



SECTION 7014 TIME LIMIT ON OPERATION OF SUBDIVISION SALES OFFICES - RESIDENTIAL ZONES. In all residential zones, the conduct and maintenance of any real estate sales office which is incidental to the development of a subdivision shall be limited to a one-year period unless a conditional use permit for a longer time period is granted pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200.

SECTION 7015 SPECIAL REGULATIONS APPLYING TO PRIVATE STABLES AND CORRALS. The following regulations shall apply in all zones to private stables, corrals, and similar facilities and to the keeping or training of horses, mules, or donkeys as an accessory activity:

(a) Conditional Use Permit Requirement. Such uses are permitted only upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200.

(b) Maximum Number of Animals. No more than three such horses, mules, or donkeys shall be kept or trained on any single lot.

(c) Minimum Lot Area. Such uses shall not in any case be located on any lot having a lot area of less than 25,000 square feet.

(d) Location on Lot. No such stable, corral, or paddock shall be located within 30 feet from any lot line.

(e) Screening. All open portions of such facilities shall be screened from abutting lots, streets, alleys, and paths, and from the private ways described in Section 7051, by dense landscaping not less than five and one-half feet high and not less than three feet wide or by a solid or grille, lumber or masonry fence or wall not less than five and one-half feet high, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING at Section 8100 and the exceptions stated in said chapter.

SECTION 7016 CONDITIONAL USE PERMIT REQUIREMENT FOR ACCESSORY HELIPORTS AND OTHER FLYING FIELDS. In all zones, private or accessory heliports, helistops, and other flying fields are permitted only upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200.

SECTION 7019 RESTRICTION ON VERTICAL LOCATION OF ACTIVITIES IN BUILDINGS CONTAINING BOTH RESIDENTIAL AND NONRESIDENTIAL ACTIVITIES - COMMERCIAL ZONES. In all commercial zones, no Commercial or Manufacturing Activity shall be conducted within any building above any story thereof occupied wholly or partly by Residential Activities, except upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200.

SECTION 7030 MAXIMUM DENSITY AND FLOOR-AREA RATIO DURING CONSTRUCTION. Whenever a new Residential Facility is constructed on any lot upon which there presently exists a Residential Facility, and such existing facility is retained and occupied temporarily pending completion of the new Residential structure, the maximum density and floor-area ratio prescribed for such lot shall be computed upon the basis of the new facility only. However, such existing facility shall be vacated and demolished or removed within one year after commencement of construction of the new facility unless the existing and new facility together shall conform to said maximum density and floor-area ratio requirements.

SECTION 7031 OCCUPANCY OF A DWELLING UNIT. A Residential Facility, or portion thereof, shall be deemed to constitute a single dwelling unit only if it is occupied by one of the following:

(a) A single family or, where the facility occupied is a One-Family Dwelling, such family and not more than three boarders, roomers, or lodgers where access to all rooms occupied by such boarders, roomers, or lodgers is had through the main entrance of the dwelling unit.

(b) A single collective household all of the members of which use the same entrance.

SECTION 7032 ADDITIONAL KITCHENS FOR A DWELLING UNIT. An additional kitchen for a single dwelling unit in any Residential Facility may be permitted, without thereby creating an additional dwelling unit, upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, and upon determination that one of the conditions set forth below exists. A conditional use permit under subsection (b) shall not be granted for a period longer than two years; and an extension of time, not to exceed two years for each extension, shall require a new application.

(a) That the additional kitchen will solely constitute an additional service facility for the resident family or its temporary guests, and shall not serve as a basis for permanent habitation of an extra family on the premises.

(b) That the additional kitchen is necessary to render habitable a living area occupied by not more than two persons related by blood, marriage, or adoption to the resident family occupying the main portion of the dwelling unit, or employed on the premises by said family.

#### GENERAL LIMITATIONS ON SIGNS

SECTION 7040 GENERAL LIMITATIONS ON SIGNS - RESIDENTIAL ZONES. The following limitations shall apply to the specified Signs in all residential zones, except as otherwise provided herein, and are in addition to the limitations, if any, prescribed for Signs in the applicable individual ZONE REGULATIONS and development control maps:

(a) Maximum Height. No Sign shall exceed the general maximum height, if any, prescribed for facilities where it is located, except as otherwise provided in Section 7075(e); and no Sign shall exceed such applicable maximum heights as are prescribed in this section.

(b) Residential Signs. No single Residential Sign shall have a display surface greater than one square foot on any one face, except that one Residential Sign on each lot, other than a Sign identifying a home occupation, may have a display surface of not more than six square feet on any one face if the lot contains Residential Facilities with a total of three or more living units. No Residential



Sign which is attached to a building shall have a display surface greater than one square foot on any one face, unless it is flat against a wall of the building and does not project outward therefrom more than 18 inches nor at all above the roof or parapet wall of the building. No Residential Sign which is not attached to a building and which has a display surface greater than one square foot on any one face shall extend more than six feet above finished grade, nor be located within five feet from any lot line. All Residential Signs shall be nonmoving. Illumination, if any, of all such Signs shall be indirect and nonflashing. Such Signs shall not, except for Signs with a display surface not greater than one square foot on any one face, include any pennants, streamers, propellers, or similar devices. (See also Section 7303(d).)

(c) Special Signs. Special Signs shall be limited to the area of display surface, number, location, and height and kind of mobility, illumination, and material that are customary and necessary to the purposes they serve.

(d) Development Signs. The maximum aggregate area of display surface of all Development Signs shall be either 75 square feet on any one lot or, in the case of a real estate subdivision, 75 square feet for each tract of two or more lots which are separated from each other only by a street or other right-of-way; and all Development Signs shall be located on the lot or tract referred to thereon and shall be permitted only for a one-year period. However, a greater area of display surface, an off-site location, or a longer time period may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200. No Development Sign which is attached to a building shall extend above the roof or parapet wall thereof. No Development Sign which is not attached to a building shall extend more than 24 feet above finished grade, nor be located within five feet from any lot line of an abutting lot. All Development Signs shall be nonmoving. Illumination, if any, of all such Signs shall be indirect and nonflashing. Such Signs shall not, except when attached to a building, include any pennants, streamers, propellers, or similar devices.

(e) Realty Signs. The maximum aggregate area of display surface of all Realty Signs on any one lot shall be six square feet. All Realty Signs shall be located on the same lot as the facilities advertised thereon, and shall be removed within seven days after occupancy, or change of occupancy, of the facilities. No Realty Sign which is attached to a building shall extend above the roof or parapet wall thereof. No Realty Sign which is not attached to a building shall extend more than six feet above finished grade, nor be located within five feet from any lot line of an abutting lot. All Realty Signs shall be nonmoving. Illumination, if any, of all such Signs shall be indirect and nonflashing. Such Signs shall not, except when attached to a building, include any pennants, streamers, propellers, or similar devices.



(f) Civic Signs. No single Civic Sign shall have a display surface greater than one square foot on any one face, except that two Civic Signs on each lot or, in the case of a lot with a lot area of more than 20,000 square feet, two Civic Signs for each 20,000 square feet of lot area may have a greater display surface. The maximum total area of display surface of any two such larger Signs shall be 30 square feet. No Civic Sign which is attached to a building shall have a display surface greater than one square foot on any one face, unless it is flat against a wall of the building and does not project outward more than 18 inches therefrom nor at all above the roof or parapet wall of the building. No Civic Sign which is not attached to a building and which has a display surface greater than one square foot on any one face shall extend more than 12 feet above finished grade, nor be located within five feet from any lot line. All Civic Signs shall be nonmoving. Illumination, if any, of all such Signs shall be indirect and nonflashing. Such Signs shall not, except for Signs with a display surface not greater than one square foot on any one face, include any pennants, streamers, propellers, or similar devices.

(g) Business Signs.

1. Business Signs serving Commercial Activities, other than Signs regulated by Section 7040(g)3, shall be limited to two Signs, with a maximum aggregate area of display surface of 15 square feet, for each Commercial establishment. All such Signs shall be located flat against a wall of the first story of a building, and no such Sign shall project outward more than 18 inches from such wall nor any distance above the roof or parapet wall of the building. All such Signs shall be nonmoving. Illumination, if any, of all such Signs shall be indirect and nonflashing. Such Signs shall not, except in the case of Signs behind a display window, include any pennants, streamers, propellers, or similar devices.
2. No single Business Sign serving Agricultural or Extractive Activities shall have a display surface greater than one square foot on any one face, except that one such Sign on each lot may have a display surface of not more than six square feet on any one face. All Business Signs which serve such activities, which are attached to a building, and which have a display surface greater than one square foot on any one face shall be located flat against a wall of the first story of the building, and no such Sign shall project outward more than 18 inches from such wall nor any distance above the roof or parapet wall of the building. No Business Sign which serves

such activities, which is not attached to a building, and which has a display surface greater than one square foot on any one face shall extend more than six feet above finished grade, nor be located within five feet from any lot line. All Business Signs serving such activities shall be nonmoving. Illumination, if any, of all such Signs shall be indirect and nonflashing. Such Signs shall not, except in the case of Signs behind a display window, include any pennants, streamers, propellers, or similar devices.

3. The maximum aggregate area of display surface of Business Signs serving off-street parking which is subject to the conditions set forth in Section 7011(b) shall be 12 square feet for each vehicular entrance or exit. No such Sign shall extend more than six feet above finished grade, nor be located within five feet from any lot line. All such Signs shall be nonmoving. Illumination, if any, of all such Signs shall be indirect and nonflashing. Such Signs shall not include any pennants, streamers, propellers, or similar devices.

SECTION 7041 GENERAL LIMITATIONS ON SIGNS - COMMERCIAL AND INDUSTRIAL ZONES. The following limitations shall apply to the specified Signs in all commercial and industrial zones, except as otherwise provided herein, and are in addition to the limitations, if any, prescribed for Signs in the applicable individual ZONE REGULATIONS and development control maps:

(a) Maximum Height. No Sign shall exceed the general maximum height, if any, prescribed for facilities where it is located, except as otherwise provided in Section 7075(e) and hereafter in this subsection. For each Sign two spires or similar architectural features may project not more than 15 feet above said general maximum height if they are part or an extension of the supporting structure of the Sign; if they do not form part of the display surface thereof; if they are nonmoving; if their illumination, if any, is indirect and nonflashing; and if they do not include any pennants, streamers, propellers, or similar devices. However, no Sign or feature thereof shall project above such lesser maximum heights as are prescribed for Signs in this section or in the applicable individual ZONE REGULATIONS or development control maps.

(b) Limitations on Signs Within Required Minimum Yards. The following limitations shall apply to the indicated Signs within the specified minimum yards, and to Signs which project over a street, alley, or path but which are supported by a facility located in such a yard:



1. Within that portion of any required minimum yard located within five feet from an abutting zone boundary, no single Business, Civic, or Residential Sign shall have a display surface greater than one square foot on any one face, unless it is behind a display window. Within that portion of any required minimum yard located within not less than five but not more than 75 feet from an abutting zone boundary, no single Business, Civic, or Residential Sign shall have a display surface greater than 12 square feet on any one face nor extend more than 24 feet above finished grade, unless it is behind a display window or is flat against the wall of a building and does not project outward more than 18 inches from such wall nor any distance above the roof or parapet wall of the building. Within that portion of any required minimum yard located more than 75 feet from an abutting zone boundary, no single Business, Civic, or Residential Sign shall have a display surface greater than 75 square feet on any one face nor extend more than 24 feet above finished grade, unless it is behind a display window or is flat against the wall of a building and does not project outward more than 18 inches from such wall nor any distance above the roof or parapet wall of the building. Within any portion of a required minimum yard, all Business, Civic, and Residential Signs shall be nonmoving; illumination, if any, of all such Signs shall be non-flashing; and such Signs shall not, except in the case of Signs behind a display window and except for Civic or Residential Signs with a display surface not greater than one square foot on any one face, include any pennants, streamers, propellers, or similar devices.
2. No Realty or Development Sign shall be located within that portion of a required minimum yard which is within five feet from an abutting zone boundary.
3. No Advertising Sign shall be located within any required minimum yard.

(c) Special Limitations Near Boundaries of Residential Zones.

The following special limitations shall apply to the indicated Signs within the specified distances from any boundary of a residential zone, including Signs which project over a street, alley, or path but which are supported by a facility located in a commercial or industrial zone. For the purposes of this subsection, a Sign shall be deemed to face a zone boundary if the angle between the face of its display surface and said boundary is less than 90 degrees; and a Sign shall be considered visible from a zone boundary if it may be seen from any point located



along such boundary within the following indicated distances from the Sign and at a height equal to or less than that of the Sign.

1. Within 25 feet from any boundary of a residential zone, no Business Sign shall face said boundary if it is visible therefrom. No Sign, other than a Special Sign, which is moving or has flashing illumination and no Advertising Sign shall be located within such distance regardless of whether it faces or is visible from said boundary.
2. Within 150 feet from any boundary of a residential zone, no Sign, other than a Special Sign, which has flashing illumination and no Advertising Sign shall face said boundary if it is visible therefrom.

(d) Development Signs. In all commercial and industrial zones except the C-60, M-30, and M-40 Zones, the maximum aggregate area of display surface of all Development Signs on any one lot shall be either 75 square feet or one square foot for each two feet of street line abutting the lot, whichever is greater. However, a greater area of display surface may be permitted upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200.

(e) Realty Signs. In all commercial and industrial zones except the C-60, M-30, and M-40 Zones, the maximum aggregate area of display surface of all Realty Signs on any one lot shall be one square foot for each two feet of street line abutting the lot; provided that such area shall not exceed 25 square feet along any consecutive 50 feet of street line; and further provided that a Sign with a display surface of 12 square feet or less shall be permitted for each lot, or for each building or other rentable unit thereon.

SECTION 7042 GENERAL LIMITATIONS ON SIGNS - S-1, S-2, AND S-3 ZONES. The following limitations shall apply to the specified Signs in the S-1, S-2, and S-3 Zones, and are in addition to the limitations, if any, prescribed for Signs in the applicable individual ZONE REGULATIONS or development control maps:

(a) Maximum Height. No Sign shall exceed the general maximum height, if any, prescribed for facilities where it is located, except as otherwise provided in Section 7075(e); and no Sign shall exceed such applicable maximum heights as are prescribed in this section.

(b) Special Limitations Near Boundaries of Residential Zones. Signs shall be subject to the same special limitations along or near boundaries of residential zones as are set forth in Section 7041(c).

(c) Special, Development, and Realty Signs. All Special, Development, and Realty Signs shall be subject to the same limitations as are set forth in Sections 7040(c), 7040(d), and 7040(e) for such Signs in residential zones.

## GENERAL LOT, DENSITY, AND AREA REGULATIONS

### SECTION 7050 LOT AREA AND WIDTH EXCEPTION FOR EXISTING LOTS.

Notwithstanding the minimum lot area and lot width requirements prescribed in the applicable individual ZONE REGULATIONS, any parcel of contiguous land which does not meet such requirements may be developed as a lot for a Residential Facility in any zone where such facility is allowed, if such parcel was, on the effective date of the ZONING REGULATIONS, or of any subsequent rezoning or other amendment thereto which makes such parcel fail to meet such requirements, and continuously thereafter has been, of record in single or unified ownership separate from that of any abutting property, and if such parcel existed lawfully under the previous zoning controls.

### SECTION 7051 EXCEPTIONS TO STREET FRONTAGE REQUIREMENT.

Notwithstanding the requirements prescribed in the applicable individual ZONE REGULATIONS with respect to minimum frontage upon a street, a lot which does not meet such requirements may be created and developed in each of the following situations:

(a) If it has a frontage of not less than 25 feet upon an undedicated vehicular way, other than one similar in function to an alley or path, which has a right-of-way not less than 40 feet in width and which was shown on the sewer maps on file with the City Engineer on the effective date of the ZONING REGULATIONS.

(b) If it is served by a private access easement approved pursuant to the Real Estate Subdivision Regulations.

(c) If it consists of a parcel of contiguous land which was on the effective date of the ZONING REGULATIONS, or of any subsequent rezoning or other amendment thereto which makes such parcel fail to meet such requirements, and continuously thereafter has been, of record in single or unified ownership separate from that of any abutting property, and if such parcel existed lawfully under the previous zoning controls.

SECTION 7053 MAXIMUM DENSITY AND FLOOR-AREA RATIO ON LOTS CONTAINING BOTH RESIDENTIAL AND NONRESIDENTIAL FACILITIES. In all zones in which a maximum floor-area ratio is generally prescribed for Nonresidential Facilities, no portion of lot area used to meet the density requirements for any Residential Facility shall be used as a base for computing, through such floor-area ratio, the maximum amount of floor area for any Nonresidential Facility on the same lot. In the C-30 Zone, Nonresidential Facilities shall be subject to a maximum floor-area ratio of 3.00 on any lot containing both Residential and Nonresidential Facilities; and no portion of lot area used to meet the density requirements for any Residential Facility shall be used as a base for computing, through said floor-area ratio, the maximum amount of floor area for any Nonresidential Facility on the same lot.



SECTION 7057 USE PERMIT CRITERIA FOR INCREASED DENSITY OR FLOOR-AREA RATIO FOR HIGH-RISE RESIDENTIAL FACILITIES. A conditional use permit for an increase in the number of living units or floor-area ratio for a Residential Facility with more than four stories containing living units, wherever such increase is provided for in the applicable individual ZONE REGULATIONS, may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the CONDITIONAL USE PERMIT PROCEDURE at Section 9200 and to all of the following use permit criteria:

(a) That openness of development, limitation of site coverage, and the design of the facilities effectively compensate for the potential effect of the added structural bulk upon adjoining properties and the surrounding area.

(b) That the shape and siting of the facilities are such as to minimize blocking of views or sunlight from adjoining lots or from other Residential Facilities in the surrounding area.

(c) That usable open space is provided substantially in excess of the amount otherwise required.

SECTION 7058 USE PERMIT CRITERIA FOR INCREASED DENSITY OR FLOOR-AREA RATIO WITH ACQUISITION OF ABUTTING DEVELOPMENT RIGHTS. A conditional use permit for an increase in the number of living units or floor-area ratio upon acquisition of nearby development rights, wherever such increase is provided for in the applicable individual ZONE REGULATIONS, may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in the CONDITIONAL USE PERMIT PROCEDURE at Section 9200 and to all of the following use permit criteria:

(a) That the applicant has acquired development rights from the owners of abutting lots, restricting the number of living units or the amount of floor area which may be developed thereon so long as the facilities proposed by the applicant are in existence.

(b) That the owners of all such abutting lots shall prepare and execute an agreement, approved as to form and legality by the City Attorney and filed with the Alameda County Recorder, incorporating such restriction.

(c) That the resultant reduction in potential number of living units or amount of floor area on the abutting lots is sufficient in amount and is so located as to cause the net effect upon the surrounding neighborhood to be substantially equivalent to that of the development which would be allowable otherwise.

#### GENERAL HEIGHT, YARD, AND COURT REGULATIONS

SECTION 7070 MAXIMUM HEIGHT ALONG BOUNDARIES OF ZONES HAVING A HEIGHT LIMIT. In all zones for which no general maximum height is prescribed, the following regulations shall apply to every lot therein which abuts any property in the R-10, R-20, R-30, R-40, or R-50 Zone:



(a) Where Side Lot Line Is Along Zone Boundary. Where an interior side lot line of such lot abuts any of the zones listed above, no building or other facility shall, except for the projections allowed by Section 7075, exceed the general maximum height prescribed for the abutting zone unless such building or other facility, or that portion thereof which exceeds said height, is set back from the inner line of any minimum side yard required by Section 7083 a minimum horizontal distance equal to one foot for each four feet by which it exceeds said height.

(b) Where Rear Lot Line Is Along Zone Boundary. Where the rear lot line of such lot abuts any of the zones listed above, no building or other facility shall, except for the projections allowed by Section 7075, exceed the general maximum height prescribed for the abutting zone unless such building or other facility, or that portion thereof which exceeds said height, is set back from the inner line of any minimum rear yard which is required by Section 7085, or is required on every lot by the applicable individual ZONE REGULATIONS, a minimum horizontal distance equal to one foot for each two feet by which such building or other facility or portion thereof exceeds said height.

SECTION 7071 GREATER MAXIMUM HEIGHT FOR CIVIC FACILITIES WITH INCREASED YARDS. In the R-10, R-20, R-30, R-40, R-50, C-10, C-20, C-30, and M-20 Zones, a Nonresidential Facility accommodating any Civic Activity may, notwithstanding the maximum height prescribed for such facility in the applicable individual ZONE REGULATIONS, be developed to a greater height, not to exceed 75 feet except as otherwise provided in Section 7075, if the minimum depth or width of each front, side, and rear yard otherwise required for such a facility is increased by one foot for each foot by which such facility exceeds the height prescribed in the individual ZONE REGULATIONS. The maximum height prescribed by this section may be exceeded by the projections allowed by Section 7075.

SECTION 7075 ALLOWED PROJECTIONS ABOVE MAXIMUM HEIGHTS. The maximum heights prescribed for facilities in the applicable individual ZONE REGULATIONS and development control maps and in Sections <sup>7070 and</sup> 7071 and 7075 may be exceeded as follows:

(a) Structures on Top of Building. Projections above any building, including, but not limited to, towers; spires; chimneys; parapet walls; penthouses, other than those containing any living unit; radio or television aerials; and necessary mechanical appurtenances may extend not more than 15 feet above the maximum height prescribed for the building if such projections cover, in the aggregate, no more than 10 percent of the horizontal area of the building.

(b) Freestanding Flagpoles and Antennas. Freestanding flagpoles and radio or television masts and antennas may project not more than 15 feet above the general maximum height.

(c) Trees and Utility Poles. Trees and utility poles and lines may project without limit above any maximum height.

(d) Sign Spires. Spires and similar features of Signs may exceed the maximum height when and as allowed by Section 7041(a).

(e) Facilities Allowed in Yards, in Certain Cases. Wherever the prescribed maximum height is related to a setback from the inner line of some required minimum yard, said height may be exceeded by the facilities allowed in such yard by Section 7090, as well as by the projections allowed heretofore in this section.

SECTION 7078 MINIMUM FRONT YARD IN COMMERCIAL AND INDUSTRIAL ZONES WHERE PART OF FRONTAGE ON SAME SIDE OF BLOCK IS IN RESIDENTIAL ZONE. Wherever 50 percent or more of the frontage on one side of a street between two intersecting streets is in any residential zone and all or part of the remaining frontage is in any commercial or industrial zone, a front yard with a minimum depth equal to one-half of the minimum front yard depth required in the residential zone shall be provided on every commercially or industrially zoned lot having such frontage. If 50 percent or more of the total frontage is in more than one residential zone, the minimum front yard depth on the commercially or industrially zoned lots shall be equal to one-half of that required in the residential zone in which the least such depth is required. Such yard shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090. See also, where applicable, the greater yard depth prescribed for certain facilities by Section 7071.

SECTION 7079 REDUCED FRONT YARD ON STEEP LOTS IN RESIDENTIAL ZONES. In all residential zones, the minimum front yard depth otherwise required by the applicable individual ZONE REGULATIONS shall be reduced to five feet on any lot on which the difference in elevation of natural grade between the midpoint of the front lot line and the rearmost point of the lot depth exceeds a gradient of 20 percent.

SECTION 7080 MINIMUM SIDE YARD ON STREET SIDE OF CORNER LOT - RESIDENTIAL ZONES.

(a) Where There Is a Key Lot in a Residential Zone. In all residential zones, on every corner lot which abuts to the rear a key lot which is in a residential zone, there shall be provided on the street side of such corner lot a side yard with a minimum width equal to one-half of the minimum front yard depth required on the key lot. However, such side yard shall not be required in the R-80 and R-90 Zones, nor be required to exceed five feet in width in any other residential zone, to the extent that it would reduce to less than 25 feet the buildable width of any corner lot which was on the effective date of the ZONING REGULATIONS, or of any subsequent rezoning or other amendment thereto which increased applicable side yard requirements, and continuously thereafter has been, of record in single or unified ownership separate from that of any abutting property, and which lot existed lawfully under the previous zoning controls. Such yard shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090. See also Section 7115(c) for special controls on location of detached accessory buildings on such corner lots.

(b) Where There Is No Key Lot in a Residential Zone. In all residential zones, on every corner lot which does not abut to the rear a key lot which is in a residential zone, the required minimum side yard width on the street side of such corner lot shall be the same as that, if any, generally required along each interior side lot line of every lot in the same zone; provided, however, that such minimum width shall be five feet in the R-60 and R-70 Zones. However, such side yard shall not be required to exceed five feet in width to the extent that it would reduce to less than 25 feet the buildable width of any corner lot which was on the effective date of the ZONING REGULATIONS,



or of any subsequent rezoning or other amendment thereto which increased applicable side yard requirements, and continuously thereafter has been, of record in single or unified ownership separate from that of any abutting property, and which existed lawfully under the previous zoning controls. Such yard shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090.

SECTION 7081 MINIMUM SIDE YARD ON STREET SIDE OF CORNER LOT IN COMMERCIAL AND INDUSTRIAL ZONES WHERE KEY LOT IS IN RESIDENTIAL ZONE. Wherever any reversed corner lot located in any commercial or industrial zone abuts to the rear a key lot which is in any residential zone, there shall be provided on the street side of such corner lot a side yard with a minimum width of one-half of the minimum front yard depth required on the key lot. Such side yard shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090. See also, where applicable, the greater yard width prescribed for certain facilities by Section 7071, and the special controls prescribed by Section 7115(c) for detached accessory buildings on such corner lots.

SECTION 7082 MINIMUM SIDE YARD OPPOSITE LIVING ROOM WINDOWS. On each lot containing Residential Facilities with a total of two or more living units, a side yard with the minimum width prescribed hereinafter shall be provided opposite any legally required window of a living room in a Residential Facility wherever such window faces any interior side lot line of such lot, other than a lot line abutting an alley, path, or public park. The side yard prescribed by this section is not required on other lots or in other situations. Such yard shall have a minimum width of eight feet, plus two feet for each story at or above the level of the aforesaid window; provided, however, that such side yard width shall not be required to exceed 12 percent of the lot width in the R-70, R-80, R-90, C-25, C-30, C-35, C-40, C-45, C-50, S-1, and S-2 Zones and 20 percent of the lot width in all other zones, except that in no case shall such side yard width be less than five feet. The side yard required by this section shall be provided opposite the legally required window and opposite that portion of the wall containing such window, or of any extension of such wall on the same lot, for a distance of not less than 10 feet in both directions from the center line of such legally required window, and at and above finished grade or the floor level of the lowest story containing such a window, whichever level is higher. Such yard shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090.

SECTION 7083 MINIMUM SIDE YARD ALONG BOUNDARIES OF ZONES REQUIRING SIDE YARDS. Wherever an interior side lot line of any lot located in any zone which does not generally require side yards on every lot abuts any portion of a lot located in the R-10, R-20, R-30, R-40, R-50, R-60, or S-3 Zone, there shall be provided on the former lot, along the abutting portion of the side lot line, a side yard with a minimum width equal to that which would be required on the former lot if it were located in the abutting zone. Such yard shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090. See also,



where applicable, the greater yard width prescribed for certain facilities by Section 7071.

SECTION 7085 MINIMUM REAR YARD ALONG BOUNDARIES OF ZONES REQUIRING SIDE OR REAR YARDS.

(a) Abutting Side Yard in Other Zone. Wherever the rear lot line of any lot located in any zone which does not generally require a rear yard on every lot abuts an interior side lot line of any lot located in the R-10, R-20, R-30, R-40, R-50, R-60, or S-3 Zone, there shall be provided on the former lot, along the abutting portion of its rear lot line, a rear yard with a minimum depth equal to the minimum side yard width which would be required on the former lot if it were located in the abutting zone. Such rear yard shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090. See also, where applicable, the greater yard depth prescribed for certain facilities by Section 7071.

(b) Abutting Rear Yard in Other Zone. Wherever the rear lot line of any lot located in any zone which does not require a rear yard on every lot abuts the rear lot line of any lot located in any residential zone or in the S-1, S-2, or S-3 Zone, there shall be provided on the former lot, along the abutting portion of its rear lot line, a rear yard with a minimum depth equal to that which would be required on the former lot if it were located in the abutting zone; provided that any structure, or portion thereof, which does not exceed 12 feet in height may extend without limit into such rear yard. Such yard shall be provided unobstructed except as provided above and except for the facilities allowed therein by Section 7090. See also, where applicable, the greater yard depth prescribed for certain facilities by Section 7071.

SECTION 7086 REDUCED REAR YARD ADJACENT TO ALLEY. In all zones, wherever a rear lot line abuts an alley, one-half of the right-of-way width of the alley may be counted toward the required minimum rear yard depth; provided, however, that the portion of the minimum rear yard depth actually on the lot itself shall not be so reduced to less than 10 feet in the R-20, R-30, R-40, and R-50 Zones, nor to less than five feet in any other zone.

SECTION 7087 MINIMUM COURT BETWEEN OPPOSITE WALLS ON SAME LOT. On each lot containing Residential Facilities with a total of two or more living units, courts with the minimum depths prescribed below shall be provided in the cases specified hereinafter between opposite exterior walls, or portions thereof, of the same or separate buildings on such lot. Courts are not required on other lots or in other situations. The aforesaid walls shall be considered to be opposite one another if a line drawn in a horizontal plane perpendicularly from any portion of any of the legally required windows referred to hereinafter, or from any point along the wall containing such window, or any extension of such wall on the same lot, on the same story as and within 10 feet in either direction from the center line of said legally required window, intersects the other wall. The courts required

by this section shall be provided opposite each of the legally required windows referred to hereinafter and along the wall containing such window, and along any extension of such wall on the same lot, for not less than 10 feet in both directions from the center line of such legally required window, and at and above finished grade or the floor level of the lowest story containing such a window, whichever level is higher. Such courts shall be provided unobstructed except for the accessory structures or the other facilities allowed therein by Section 7090.

(a) Legally Required Living Room Windows in Either or Both Walls. If either or both such opposite walls contain any legally required window of any living room in a Residential Facility, a court shall be provided between such walls with a minimum horizontal depth equal to the height of the wall opposite such window, or the height of the higher of such opposite walls where both walls contain such a window; provided, however, that in no case shall the horizontal depth of such court be less than 18 feet nor be required to exceed 50 feet. For the purpose of computing the minimum depth of such court, the aforesaid height of wall shall be measured above finished grade or above the floor level of the lowest story of the opposite wall containing such a window, whichever level is higher.

(b) Other Legally Required Windows in Both Walls. If both such opposite walls contain legally required windows of any habitable rooms, other than living rooms, in a Residential Facility, a court shall be provided between such walls with a minimum horizontal depth of 12 feet.

SECTION 7090 EXCEPTIONS TO REQUIRED OPENNESS OF MINIMUM YARDS AND COURTS. Every part of each required minimum yard or court shall be open and unobstructed from finished grade or, where applicable, from such other specified level at which the yard or court is required, to the sky except for the facilities allowed in such yard or court by the following table. In no case shall more than 50 percent of the horizontal area of a required minimum rear yard be covered by any facilities, other than trees, which extend more than six feet above the level at which such yard is required. Wherever a yard is required only for a particular facility, it may be provided at the level of the lowest story containing such facility; provided that where such facility is a Residential Facility such level shall be that of the lowest story, or portion thereof, containing any living unit. Where the height of facilities within minimum yards or courts is not specifically limited by the following table, such facilities shall conform to the maximum height, if any, prescribed for facilities in the zone where they are located. See also the applicable individual ZONE REGULATIONS and development control maps, and the BUFFERING REGULATIONS at Section 7100, for any special regulations prescribed therein with respect to development, location, or screening of parking, loading, and other uses referred to in the following table.



Allowed Projection Into, or Location  
Within, Minimum Yards and Courts

(Blanks indicate that facility is  
not allowed.)

<u>Facilities</u>	<u>Front Yard</u>	<u>Side Yard on Street Side of Corner Lot</u>	<u>Side Yard Along Interior Side Lot Line</u>	<u>Rear Yard</u>	<u>Court</u>
(a) Eaves; awnings, louvers, and similar shading devices; sills, cornices, and similar features; flues and chimneys; and similar architectural projections from a building.	Four feet into above yard.	Four feet into above yard.	Two feet into above yard.	Four feet into above yard.	Two feet into court.
(b) Patio roofs and similar structures projecting from and serving a Residential Facility, if such structures do not exceed 12 feet in height and if each has open, un-walled sides along not less than 50 percent of its perimeter.	Four feet into above yard.	Four feet into above yard.	Two feet into above yard.	Eight feet into above yard.	Two feet into court.
(c) Breezeways and similar roofed passageways projecting from and serving a Residential Facility, if they do not exceed 12 feet in height and eight feet in width and if they are not enclosed on the sides.	Four feet into above yard.	Four feet into above yard.	Two feet into above yard.	Any distance into above yard.	Two feet into court.
(d) Bay windows located above the first story of a building, if the aggregate width of bay windows on any one story does not exceed 50 percent of the length of the wall containing them; if no individual bay window exceeds 10 feet in width; and if all such windows are cantilevered only.	Three feet into above yard.	Three feet into above yard.			
(e) Balconies, decks, and similar structures projecting from and serving a Residential Facility and having a mean height, including railings, of more than six feet above the required level of the yard or court, but excluding	Six feet into above yard.	Five feet into above yard.	Five feet into above yard, but not	Six feet into above yard.	



corridors and similar facilities providing access to two or more living units; provided that such structures are cantilevered or supported only by necessary columns; and further provided that such structures are unroofed, except that a balcony or deck projecting from a higher story shall not be deemed a roof.			to within five feet of interior side lot line.		
(f) Exterior access facilities which lead to the second or higher story of a building, including open or enclosed fire escapes and open, unroofed, fire-proof outside stairways, landings, and exterior corridors.	Four feet into above yard.	Four feet into above yard.		Four feet into above yard.	
(g) Unroofed porches, steps, and other similar raised structures projecting from a building and having a mean height, including railings, of not more than six feet above the required level of the yard or court.	Eight feet into above yard.	Eight feet into above yard.	Eight feet into above yard.	Any distance into above yard.	Anywhere in court.
(h) Open storage of boats, trailers, appliances, and similar materials, and areas for temporary storage of trash.			Anywhere in above yard.	Anywhere in above yard.	Anywhere in court.
(i) Slides, clotheslines, and similar equipment and radio or television masts or antennas.		Anywhere in above yards.			Anywhere in court.
(j) Garages, carports, sheds, and other detached accessory buildings. Such buildings shall be considered detached from any principal building if the only roofed attachment thereto consists of a breezeway or similar structure exceeding neither 12 feet in height nor eight feet in width. (See also subsection (m).)		Anywhere in that portion of above yards within 35 feet of the rear lot line, provided that such building:			
		1. Does not in any case exceed 12 feet in height, except as otherwise provided in Section 7075; and 2. On any reversed corner lot which abuts a key lot in any residential zone, (a) is not located closer than five feet to the side lot line of the key lot and (b) within 35 feet from the key lot, is not located closer to the side street line than			

		the required minimum front yard depth on the key lot.	
(k) Unroofed, raised platforms designed to accommodate off-street parking, including ramps and stairways necessary to provide access.	Anywhere in above yard except within five feet of interior side lot line and except as otherwise provided in subsection (l).	Same as prescribed in subsection (j), except as otherwise provided in subsection (l).	
(l) Unroofed parking and loading areas.	In any yard or court, except that in all residential zones and in the S-1, S-2, and S-3 Zones, no unroofed parking space which is located on any lot containing three or more parking spaces, and no unroofed loading berth, shall be located within five feet of any street line or alley.		
(m) Covered, underground or partially excavated structures including, but not limited to, garages, fallout shelters, wine cellars, and basements.	In any yard or court, provided that: <ol style="list-style-type: none"> <li>1. The surfaces of such facilities are landscaped or developed as patios or terraces.</li> <li>2. Such facilities do not extend more than 30 inches above the average adjoining level of finished grade, except that they may extend farther upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200.</li> </ol>		
(n) Fences, screening or retaining walls, and dense hedges.	In any yard or court, provided that such facilities: <ol style="list-style-type: none"> <li>1. Shall not exceed eight feet in height above the required level of any yard or court, except upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE.</li> <li>2. Shall not exceed three and one-half feet in height within that portion of any required minimum front yard, or side yard on the street side of a corner lot, within 25 feet of an intersection of street lines.</li> </ol>		

(o) Trees, shrubs, and landscaping, other than dense hedges with a screening effect; sculpture and similar decorations; flagpoles; unroofed patios and swimming pools; driveways; walkways and detached steps; and utility poles and lines.	In any yard or court.
(p) Signs.	In any yard or court, subject to the applicable limitations on Signs.



## BUFFERING REGULATIONS

SECTION 7100 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 7100 through Section 7124, inclusive, shall be known as the BUFFERING REGULATIONS. The purpose of these regulations is to prescribe screening requirements and other controls designed to ensure an orderly relationship between neighboring developments, to enable diverse kinds of uses to be located near one another compatibly, and to improve the appearance of individual properties, neighborhoods, and the City. These regulations shall apply to the specified uses in the zones and situations indicated hereinafter.

SECTION 7110 GENERAL BUFFERING REQUIREMENTS - RESIDENTIAL AND S-1, S-2, AND S-3 ZONES. The following regulations shall apply in all residential zones and in the S-1, S-2, and S-3 Zones, and are in addition to the provisions set forth in Section 7115:

(a) Screening and Setback of Open Parking and Loading Areas. The following requirements shall apply in said zones to all open off-street parking areas located on any lot containing three or more parking spaces, and to all open off-street loading areas on any lot:

1. Such parking and loading areas shall be screened from all abutting lots, except where a maneuvering aisle is shared with the abutting lot in the manner described in Section 7535, by dense landscaping not less than five and one-half feet high and not less than three feet wide or by a solid lumber or masonry fence or wall not less than five and one-half feet high, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING at Section 8100 and the exceptions stated in said chapter.
2. Such parking and loading areas shall be screened from all abutting streets, alleys, and paths, and private streets or other ways described in Section 7051, by dense landscaping not less than three and one-half feet high and not less than three feet wide or by a solid or grille, lumber or masonry fence or wall not less than three and one-half feet high, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING and the exceptions stated therein.
3. No unroofed parking space or loading berth on such lots shall be located within five feet from any street line or alley.

(b) Screening of Open Storage Areas. All open storage of boats, trailers, building materials, appliances, and similar materials shall be screened from all abutting lots, and streets, alleys, and paths, and private streets or other ways described in Section 7051, by dense landscaping not less than five and one-half feet high and not less than three feet wide, or by a solid lumber or masonry fence

or wall not less than five and one-half feet high, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING and the exceptions stated therein.

(c) Control on Artificial Illumination of Parking and Loading Areas. Artificial illumination of all off-street parking areas located on any lot containing three or more parking spaces and all off-street loading areas, and of driveways related thereto, shall be nonflashing and shall be directed away from all abutting lots and from any on-site Residential living units so as to eliminate objectionable glare.

SECTION 7111 GENERAL BUFFERING REQUIREMENTS - COMMERCIAL AND INDUSTRIAL ZONES. The following regulations shall apply in all commercial and industrial zones, and are in addition to the provisions set forth in Section 7115:

(a) Screening Along Entire Lot Line Abutting Residential Zone If Lot in Commercial or Industrial Zone Is Occupied By Commercial, Manufacturing, or Agricultural or Extractive Activities. Wherever any lot which is located in any commercial or industrial zone and which is occupied by Commercial, Manufacturing, or Agricultural or Extractive Activities abuts a lot located in any residential zone, it shall be screened from the residentially zoned lot, along the entire abutting lot line except where a driveway or maneuvering aisle is shared with the abutting lot in the manner described in Section 7535, by dense landscaping not less than five and one-half feet high and not less than three feet wide or by a solid lumber or masonry fence or wall not less than five and one-half feet high, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING at Section 8100 and the exceptions stated in said chapter.

(b) Screening of Open Parking, Loading, and Storage Areas in Certain Situations. All open off-street parking areas located on any lot containing three or more parking spaces, and all open off-street loading, storage, sales, display, service, and processing areas on any lot, shall be:

1. Screened from any Residential Facilities located on any abutting lot, except where a maneuvering aisle is shared with the abutting lot in the manner described in Section 7535, by dense landscaping not less than five and one-half feet high and not less than three feet wide or by a solid lumber or masonry fence or wall not less than five and one-half feet high, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING and the exceptions stated therein; and
2. Screened from any abutting lot located in any residential zone, except where a maneuvering aisle is shared with the abutting lot in the manner described in Section 7535, by dense landscaping not less than five and one-half feet high and not less than three feet wide or by a solid lumber or masonry fence or wall not less than five and one-half feet high, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING and the exceptions stated therein; and
3. Except in the case of sales, display, or service areas occupied by Automotive Servicing



Commercial Activities, screened from that portion of any street, alley, or path, or private street or other way described in Section 7051, directly across which or within 150 feet, as measured parallel to the center line of such public or private way, along which there is a lot in any residential zone, by dense landscaping not less than three and one-half feet high and not less than three feet wide or by a solid or grille, lumber or masonry fence or wall not less than three and one-half feet high, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING and the exceptions stated therein.

(c) Control on Artificial Illumination in Certain Situations.

All artificial illumination which is readily visible from any of the Residential Facilities or residentially zoned lots referred to in Section 7111(b) shall be nonflashing and shall be directed away from said facilities and lots so as to eliminate objectionable glare.

SECTION 7115 SPECIAL BUFFERING REQUIREMENTS.

(a) Open Storage Areas on Same Lot as Residential Facility - Screening Required Within Three Years. In all zones, on any lot which contains both a Residential Facility and any area devoted to open storage or display of goods or materials, said open storage or display area shall be screened from all abutting lots, streets, alleys, and paths, and private streets or other ways described in Section 7051, by dense landscaping not less than five and one-half feet high and not less than three feet wide or by a solid lumber or masonry fence or wall not less than five and one-half feet high, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING at Section 8100 and the exceptions stated in said chapter. Existing open storage and display areas on such lots shall either be removed or provided with the above prescribed screening within three years after the effective date of the ZONING REGULATIONS.

(b) Screening of Open Parking and Loading Areas From Streets, Alleys, and Paths in M-10 and M-20 Zones. In the M-10 and M-20 Zones, all open off-street parking areas on any lot containing three or more parking spaces, and all open off-street loading areas, shall be screened from all abutting streets, alleys, and paths, and private streets or other ways described in Section 7051, by dense landscaping not less than three and one-half feet high and not less than three feet wide or by a solid or grille, lumber or masonry fence or wall not less than three and one-half feet high, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING and the exceptions stated therein.

(c) Location of Detached Accessory Buildings on Corner Lot Abutting a Key Lot in a Residential Zone. In all zones, on any reversed corner lot which abuts a key lot located in any residential zone, no detached accessory building shall be located within five feet from the abutting side lot line of the key lot. No detached accessory building on such lot shall be located closer to the street



line on which the key lot fronts than a distance equal to the minimum front yard depth required on the key lot, unless the accessory building is at least 35 feet from the side lot line of the key lot. An accessory building shall be considered detached from any principal building on the same lot if the only roofed attachment thereto consists of a breezeway or similar structure exceeding neither 12 feet in height nor eight feet in width.

(d) Other Provisions. Also applicable are the special provisions, if any, set forth in the applicable individual ZONE REGULATIONS and development control maps with respect to landscaping and screening and controls on parking, loading, and other specified uses; the requirements set forth in Section 7015 for stables, corrals, and similar facilities; and the screening and other standards prescribed for required usable open space in the STANDARDS FOR REQUIRED USABLE OPEN SPACE at Section 8300.

## HOME OCCUPATION REGULATIONS

SECTION 7300 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 7300 through Section 7324, inclusive, shall be known as the HOME OCCUPATION REGULATIONS. The purpose of these regulations is to prescribe the conditions under which limited nonresidential activities may be conducted when incidental to Residential Activities. These regulations shall apply to all activities of a nonresidential nature which are incidental to Residential Activities when such nonresidential activities would not be allowed if they were not incidental to Residential Activities.

SECTION 7301 DEFINITION OF HOME OCCUPATION. A home occupation is an accessory activity of a nonresidential nature which is performed within a living unit, or within a garage attached thereto and reserved therefor, by an occupant of the living unit and which is customarily incidental to the Residential use of the living unit. A home occupation may include, but is not limited to, the handicraft manufacture of products, the conduct of an art or profession, the offering of a service, or the conduct of a business, subject to the provisions of Sections 7302, 7303, 7304, and 7305.

SECTION 7302 EXCLUSIONS. The following activities shall not in any case qualify as home occupations:

- (a) Introductory Service.
- (b) Teaching of organized classes totalling more than six persons at a time.
- (c) Accommodation of more than three paying guests within a One-Family Dwelling Residential Facility, or of any number of paying guests within a dwelling unit in any other type of Residential Facility.
- (d) Operation of a beauty parlor with more than two hairdrying machines.
- (e) Maintenance of a construction contractor's storage or construction yard or garage.
- (f) Care, treatment, or boarding of animals for profit.

### SECTION 7303 REQUIREMENTS.

(a) Location. A home occupation shall only be performed within a living unit by a resident thereof, or within a garage which is attached to, and reserved for, such living unit. When conducted within a garage the doors thereof shall be closed.

(b) Employees. No person other than a resident of the living unit shall be employed in the conduct of the home occupation, except that practitioners in the medical arts may employ one assistant who does not reside in the living unit.

(c) Articles Sold. Articles offered for sale shall be limited to those produced on the premises, except where the home occupation serves as an agent or intermediary between off-site suppliers and off-site customers, in which case all articles, except for samples, shall be received, stored, and sold directly to customers at off-premises locations.

(d) Exterior Appearance and Signs. There shall be no outside or window display of materials or products. No outside or window Sign shall advertise or otherwise identify the home occupation except for one Sign with a display surface of not more than one square foot on any face. Such Sign shall be nonmoving, and its illumination, if any, shall be indirect and nonflashing. There shall be no other exterior indication of the home occupation, and no impairment of the residential appearance of the facilities within which the home occupation is conducted.

(e) Vehicular Storage. No commercial or passenger vehicle carrying any Sign advertising or otherwise identifying the home occupation shall be parked on any portion of the lot where such Sign is visible at any lot line of the lot containing the home occupation.

(f) Traffic Generation. The home occupation shall not generate pedestrian or vehicular traffic substantially greater than that normally generated by Residential Activities in the surrounding area.

(g) Nuisances. The home occupation shall be so conducted as not to cause offensive or objectionable noise, vibration, smoke, odors, humidity, heat, cold, glare, dust, dirt, or electrical disturbance which is perceptible by the average person at or beyond any lot line of the lot containing the home occupation.

SECTION 7304 REQUIRED APPROVAL. No home occupation shall be permitted unless the Director of City Planning certifies that it will conform to the HOME OCCUPATION REGULATIONS. The Director may fix a termination date upon a home occupation in order to effect a periodic review thereof. The Director's determination shall be subject to appeal pursuant to the ADMINISTRATIVE APPEAL PROCEDURE at Section 9100.

SECTION 7305 REVOCATION. In the event of a failure to comply with these regulations, the Director of City Planning may, after notice and hearing, revoke his certificate of approval of a home occupation. Such revocation may be appealed pursuant to the ADMINISTRATIVE APPEAL PROCEDURE at Section 9100.



## NONCONFORMING USE REGULATIONS

### GENERAL PROVISIONS

SECTION 7400 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 7400 through Section 7449, inclusive, shall be known as the NONCONFORMING USE REGULATIONS. The purpose of these regulations is to control, ameliorate, or terminate uses which do not conform to the ZONING REGULATIONS. These regulations shall apply to all nonconforming uses.

#### SECTION 7401 DEFINITIONS.

(a) Nonconforming Use. A nonconforming use is a nonconforming activity or a nonconforming facility.

(b) Nonconforming Activity. A nonconforming activity is an activity which, under the ZONING REGULATIONS, is not itself a permitted activity where it is located or does not conform to the off-street parking or loading requirements, performance standards, or other requirements applying to activities. However, an activity of the character described above shall not be deemed a nonconforming activity to the extent that it has been or is hereafter authorized by a subsisting conditional use permit, variance, or other special zoning approval.

(c) Nonconforming Facility. A nonconforming facility is a facility which, under the ZONING REGULATIONS, is not itself a permitted facility where it is located or does not conform to the density, floor-area ratio, height, yard, court, buffering, landscaping or screening, or usable open space requirements; limitations on Signs; or other requirements applying to facilities. However, a facility of the character described above shall not be deemed a nonconforming facility to the extent that it has been or is hereafter authorized by a subsisting conditional use permit, variance, or other special zoning approval.

(d) Substitution of Activities. A substitution of activities is the replacement of an existing activity by a new activity, or a change in the nature of an existing activity. It does not include a change of ownership, tenancy, or management where the previous line of business or other function is substantially unchanged.

(e) Alteration. An alteration is an enlargement; addition; relocation; repair; remodeling; change in number of living units; development of or change in an open area; development of or change in a Sign, by painting or otherwise; or any other change in a facility, but excluding painting except as provided above for Signs, ordinary maintenance for which no building permit is required, and demolition or removal.

SECTION 7402 COMPLETION OF PROJECTS IN ACCORDANCE WITH PRIOR PERMITS. As specified in Section 7003, uses may in certain cases be established, constructed, altered, extended, substituted, moved, or otherwise changed on the basis of building or sign permits or conditional use permits, variances, or other special zoning approvals applied for or granted before the effective date of the ZONING REGULATIONS, or of any subsequent rezoning or other amendment thereto, although said regulations or amendment thereto would otherwise prohibit such development or change.

SECTION 7403 RIGHT TO CONTINUE NONCONFORMING USE, SUBJECT TO LIMITATIONS. A nonconforming use which is in existence on the effective date of the ZONING REGULATIONS or of any subsequent rezoning or other amendment thereto which makes such use nonconforming, and which existed lawfully under the previous zoning controls, or which is subsequently developed or changed pursuant to Section 7402, may thereafter be continued and maintained indefinitely, and the rights to such use shall run with the land, except as otherwise specified in the NONCONFORMING USE REGULATIONS. However, no substitution, extension, or other change in activities and no alteration or other change in facilities is permitted except as specifically provided hereinafter.

### NONCONFORMING ACTIVITIES

#### SECTION 7420 NONCONFORMING ACTIVITY - DISCONTINUANCE.

(a) Activity Nonconforming Because It Is Not a Permitted Activity. Whenever an activity which is nonconforming wholly or partly because it is not itself a permitted activity where it is located occupies 400 square feet or more of floor area and hereafter discontinues active operation for a continuous period of one year, or occupies less than 400 square feet of floor area and hereafter discontinues active operation for a continuous period of six months, and the facilities accommodating or serving such activity are not utilized for another activity during such period, said facilities may thereafter be utilized only for a normally permitted or conditionally permitted activity substituted pursuant to Section 7422(a), except that the former activity may be resumed after a longer period upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200. However, if another activity has been substituted for it, the former activity may thereafter be resumed if and only if such resumption would constitute a permitted substitution under Section 7422(a). Section 7421 shall also apply.

(b) Activity Nonconforming for Other Reasons. A nonconforming activity which is itself a permitted activity where it is located, and which is nonconforming only as to applicable off-street parking or loading requirements, performance standards, or other requirements applying to activities, may be resumed regardless of the period during which it may have discontinued active operation. However, if another activity has been substituted for it, the former activity may thereafter be resumed only if such resumption would constitute a permitted substitution under Section 7422(b). Section 7421 shall also apply.

#### SECTION 7421 NONCONFORMING ACTIVITY - DAMAGE OR DESTRUCTION.

If the facilities accommodating or serving any nonconforming activity are damaged or destroyed to the extent of not more than 75 percent of their current replacement cost as estimated by the Building Inspector, they may be restored to their prior condition and occupancy. If such damage or destruction exceeds 75 percent of said cost, the facilities may not thereafter be restored to accommodate or serve any nonconforming activity.



SECTION 7422 NONCONFORMING ACTIVITY - PERMITTED SUBSTITUTIONS AND OTHER CHANGES IN ACTIVITY.

(a) Activity Nonconforming Because It Is Not a Permitted Activity. Except as otherwise provided in Sections 7420 and 7421, the activities specified in the table below may be substituted for any of the indicated activities which is nonconforming wholly or partly because it is not itself a permitted activity where it is located. Changes other than substitutions may also be made in such activities, but no substitution or other change may be made which would result in a greater degree of nonconformity with respect to any applicable provision of the PERFORMANCE STANDARDS at Section 7700, or wherever the nonconforming activity is conditionally permitted, with respect to applicable off-street parking or loading requirements. If a new activity substituted according to the table is not itself a permitted and otherwise conforming activity, it shall be deemed a nonconforming activity and no further substitution is permitted except pursuant to this section. If a conforming activity is substituted, no further substitution of any nonconforming activity is permitted.

<u>Zone</u>	<u>Prior Nonconforming Activity</u>	<u>New Activity Which May Be Substituted for Prior Nonconforming Activity</u>
Any zone.	Any such activity where it is conditionally permitted.	Any activity otherwise permitted or, upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, any activity otherwise conditionally permitted in the same location. However, no such activity may be substituted if the result would be a greater degree of nonconformity with respect to applicable off-street parking, loading, or other requirements applying to activities.
	Any such activity where it is not conditionally permitted.	Any activity otherwise permitted or, upon the granting of a conditional use permit, any activity otherwise conditionally permitted in the same location.



Any residential zone or S-1, S-2, or S-3 Zone.	Any such Manufacturing Activity where it is not conditionally permitted.	Any Civic or Commercial Activity permitted in the C-10 Zone. Custom Manufacturing Activities.
	The following such Commercial Activities where they are not conditionally permitted: Research Service General Wholesale Sales Construction Sales and Service Automotive Sales, Rental, and Delivery Automotive Repair and Cleaning Transport and Warehousing Animal Care Undertaking Service Scrap Operation	Any Civic or Commercial Activity permitted in the C-35 Zone.
	The following such Commercial Activities where they are not conditionally permitted: Food Sales and Service Convenience Sales and Service General Retail Sales General Personal Service Consumer Laundry and Repair Service Group Assembly Business and Communication Service Retail Business Supply	Administrative Civic Activities. Any Commercial Activity permitted in the C-10 Zone. Administrative Commercial Activities.
	The following such Commercial Activities where they are not conditionally permitted: Medical Service Consultative and Financial Service Administrative	Administrative Civic Activities. The following Commercial Activities: Medical Service Consultative and Financial Service Administrative
Any commercial zone.	Any such Commercial Activity where it is not conditionally permitted.	Any Commercial Activity permitted in the C-35 Zone.
	Any such Manufacturing Activity where it is not conditionally permitted.	Any Commercial Activity permitted in the C-45 Zone. Custom Manufacturing Activities.

(b) Activity Nonconforming for Other Reasons. Except as otherwise provided in Sections 7420 and 7421, an activity which is itself permitted or, upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE, an activity which is itself conditionally permitted may be substituted for any activity which is itself a permitted activity where it is located and which is nonconforming only as to applicable off-street parking or loading requirements, performance standards, or other requirements applying to activities. Changes other than substitutions may also be made in such activities, but no substitution or other change shall be made which would result in a greater degree of nonconformity with respect to the aforesaid requirements.

SECTION 7423 NONCONFORMING ACTIVITY - ALLOWED ALTERATIONS AND EXTENSIONS.

(a) Nonresidential Activity Nonconforming Because It Is Not a Permitted Activity. Except as otherwise provided in Section 7421, a non-residential activity which is nonconforming wholly or partly because it is not itself a permitted activity where it is located may be extended, and the facilities accommodating or serving such activity may be altered or otherwise changed, subject to the requirements normally applying to uses where the activity is located and subject to the following provisions:

1. Except as otherwise provided in paragraph 2, the floor area and overall outside dimensions of any building, or portion thereof, devoted to such activity shall not be increased; no open parking, loading, sales, display, service, production, or storage area accommodating or serving such activity shall be relocated or increased in size; and no such building or open area shall be wholly reconstructed.
2. New, wholly reconstructed, enlarged, or relocated structures or open areas devoted to off-street parking or loading serving such activity may be provided wherever Automotive Fee Parking Commercial Activities are permitted or, upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200, wherever Automotive Fee Parking Commercial Activities are conditionally permitted. In residential zones, such facilities for off-street parking may be provided in the situations, and subject to the conditions, prescribed in Section 7011.
3. New Signs may be provided for such activity, but the aggregate area of display surface of all Signs serving such activity shall not be increased. All Signs shall be subject to the limitations, other than aggregate area of display surface, normally applying to Signs where they are located.
4. During any five-year period, beginning on or after the effective date of the ZONING REGULATIONS or of any subsequent rezoning or other amendment thereto which makes such activity thus nonconforming, the aggregate cost of all alterations for which a building or sign permit is required, and which are intended for any activity subject to this subsection, shall not exceed 25 percent of the replacement cost, as estimated by the Building Inspector, of the facilities accommodating or serving such activity at the beginning of said period. However, the cost of alterations



ordered by any governmental agency or permitted by Section 7421 shall be exempt from said maximum cost.

(b) Residential Activity Nonconforming Because It Is Not a Permitted Activity. Except as otherwise provided in Section 7421, a Residential Activity which is nonconforming wholly or partly because it is not itself a permitted activity where it is located may be extended, and the facilities accommodating or serving such activity may be altered or otherwise changed, subject to the following provisions:

1. The number of living units shall not be increased.
2. The amount of added or wholly reconstructed floor area devoted to such activity shall not exceed in the aggregate 20 percent of that already existing on the affected lot. If new or wholly reconstructed floor area is developed, usable open space shall be provided for all living units on the lot in the amount required therefor in the R-60 Zone.
3. Existing usable open space shall not be reduced below, or if already less than shall not be reduced further below, the usable open space requirements applying in the R-60 Zone.
4. All alterations and other changes shall conform to, or not further conflict with, the minimum yard and court and maximum height requirements and the limitations on Signs generally applying in the R-50 Zone, as well as to the requirements generally applying to uses where the activity is actually located.

(c) Activity Nonconforming for Other Reasons. Except as otherwise provided in Section 7421, any activity which is itself a permitted activity where it is located and which is nonconforming only as to off-street parking or loading requirements, performance standards, or other requirements applying to activities may be extended, and the facilities accommodating or serving such activity may be altered or otherwise changed, in any way which does not result in a greater degree of nonconformity with respect to such requirements and which conforms to the requirements normally applying to uses where the activity is located.

## NONCONFORMING FACILITIES

### SECTION 7430 NONCONFORMING FACILITY - ALLOWED ALTERATIONS.

(a) When Occupied By Conforming Activity. Except as otherwise provided in Section 7431, a nonconforming facility which accommodates or serves a conforming activity may be altered or otherwise changed, and the lot lines of the lot containing it may be changed, in any way which does not create any new nonconformity or increase the degree of any existing nonconformity with respect to any requirement applying to facilities. Any new, relocated, or wholly reconstructed part of a facility shall itself conform to all applicable such requirements. Nonconforming Residential Facilities containing a total of more than one living unit on a lot, when located in a zone where only one living unit is permitted on a lot, shall be subject to the requirements generally applying in the R-60 Zone with respect to side yards opposite living room windows; courts; and usable open space. Nonconforming Nonresidential Facilities which are not themselves permitted facility



types in the zone where they are located shall not be increased in floor area or overall outside dimensions; relocated, except to remove a nonconformity; or wholly reconstructed.

(b) When Occupied By Nonconforming Activity. Except as otherwise provided in Section 7431, a nonconforming facility which accommodates or serves a nonconforming activity may be altered or otherwise changed, and the lot lines of the lot containing it may be changed, subject to the conditions of Section 7423 as well as those of subsection (a) above. In such a case, new Signs of a type not otherwise permitted may be developed as authorized by subsections (a) and (b) of Section 7423.

SECTION 7431 NONCONFORMING FACILITY - DAMAGE OR DESTRUCTION. If a nonconforming facility is damaged or destroyed to the extent of not more than 75 percent of its current replacement cost as estimated by the Building Inspector, it may be restored to its prior condition. If such damage or destruction exceeds 75 percent of said cost, the facility may be restored only as a conforming facility.

SECTION 7432 NONCONFORMING OPEN STORAGE ON SAME LOT AS RESIDENTIAL FACILITY - SCREENING REQUIRED WITHIN THREE YEARS. On any lot containing a Residential Facility, any open area which is devoted to storage or display of goods or materials shall, within three years after the effective date of the ZONING REGULATIONS, be either removed or made to conform to the applicable screening requirements of Section 7115(a).

## OFF-STREET PARKING AND LOADING REQUIREMENTS

### GENERAL PROVISIONS

SECTION 7500 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 7500 through Section 7549, inclusive, shall be known as the OFF-STREET PARKING AND LOADING REQUIREMENTS. The purpose of these regulations is to require adequate off-street parking and loading, thereby reducing traffic congestion, allowing more efficient utilization of on-street parking, promoting more efficient loading operations, and reducing the use of public streets for loading purposes. These requirements shall apply to the indicated activities as specified hereinafter.

#### SECTION 7501 EFFECT ON NEW AND EXISTING USES.

(a) New Parking and Loading to Be Provided for New Facilities and Additions to Existing Facilities. Except as otherwise provided in Section 7003 in the case of prior permits, new off-street parking and loading as prescribed hereafter shall be provided for activities occupying facilities, or portions thereof, which are constructed, established, wholly reconstructed, or moved onto a new lot after the effective date of the ZONING REGULATIONS, or of a subsequent rezoning or other amendment thereto establishing or increasing parking or loading requirements for such activities, except to the extent that existing parking or loading meets such requirements. The required amount of new parking and loading shall be based on the cumulative increase in floor area, or other applicable unit of measurement prescribed hereafter, after said effective date; provided, however, that the amount of new parking required for an activity shall be computed for said increase to the extent that the total of the added facilities and any facilities existing before said effective date exceeds any minimum size hereafter prescribed for which parking is required for such activity.

(b) New Parking to Be Provided for New Living Units in Existing Facilities. If any facility, or portion thereof, which is in existence on the effective date of the ZONING REGULATIONS, or of a subsequent rezoning or other amendment thereto establishing or increasing parking or loading requirements for an activity occupying said facility, is altered or changed in occupancy so as to result in an increase in the number of Residential living units therein, new off-street parking as required hereafter shall be provided based on the number of such living units added after said effective date, except to the extent that existing parking meets such requirement. New parking or loading is not otherwise required for alterations of, or substitutions or other changes in activities in, any such existing facility or portion thereof except as provided in subsection (a) with respect to additions or enlargements.

(c) Existing Parking and Loading to Be Maintained. No existing parking or loading serving any activity shall be reduced in amount or changed in design, location, or maintenance below, or if already less than shall not be reduced further below, the requirements prescribed hereafter for such activity unless equivalent substitute facilities are provided.

SECTION 7503 MORE THAN ONE ACTIVITY ON A LOT. Whenever a single lot contains different activities with the same off-street parking or



loading requirement, the overall requirement shall be based on the sum of all such activities, and the minimum size prescribed hereafter for which any parking or loading is required shall be deemed to be exceeded for all such activities if it is exceeded by their sum. Whenever a single lot contains activities with different off-street parking or loading requirements, the overall requirement shall be the sum of the requirements for each such activity calculated separately; provided, however, that the minimum size prescribed hereafter for which any parking is required shall be deemed to be exceeded on said lot for all activities for which the same or a smaller minimum size, expressed in the same unit of measurement, is prescribed, if said minimum size is exceeded by the sum of all such activities on the lot.

SECTION 7509 DETERMINATION BY DIRECTOR OF CITY PLANNING. In the case of activities for which the Director of City Planning is required to prescribe a number of parking spaces or loading berths, he shall base his determination on the traffic generation of the activities, the amount and frequency of loading operations thereof, the time of operation of the activities, their location, and such other factors as affect the need for off-street parking or loading. Any such determination shall be subject to appeal pursuant to the ADMINISTRATIVE APPEAL PROCEDURE at Section 9100.

#### OFF-STREET PARKING REQUIREMENTS

SECTION 7510 CALCULATION RULES. If after calculating the number of required off-street parking spaces a quotient is obtained containing a fraction of one-half or more, an additional space shall be required; if such fraction is less than one-half it may be disregarded. When the parking requirement is based on number of employees, the number of spaces shall be based on the number of working persons typically engaging in the specified activity on the lot during the largest shift of the peak season. When the requirement is based on number of doctors, the number of spaces shall be based on the number of such doctors typically engaging in the activity on the lot during the peak daily period. When the requirement is based on number of seats, each 20 inches of pews or similar facilities shall be counted as one seat.

SECTION 7511 OFF-STREET PARKING - RESIDENTIAL ACTIVITIES. Except as otherwise provided in Sections 7501, 7503, 7518, and 7519, and subject to the calculation rules set forth in Section 7510, the following off-street parking requirements shall apply to all Residential Activities:

(a) Basic Requirements. Subject to the applicable provisions of subsection (b), the following amounts of off-street parking are required for Residential Activities when located in the indicated zones and occupying the specified facility types, and shall be developed and maintained pursuant to the provisions of Section 7535 through Section 7549, inclusive:



<u>Residential Facility Type</u>	<u>Zone</u>	<u>Requirement</u>
One-Family Dwelling.	R-10, R-20, R-30.	Two spaces for each dwelling unit.
	R-40.	One and one-half spaces for each dwelling unit.
	Any other zone.	One space for each dwelling unit.
Two-Family Dwelling. Multi-Family Dwelling. Rooming House.	R-40.	One and one-half spaces for each dwelling unit and one space for each two rooming units.
	Any other zone.	One space for each dwelling unit and one space for each two rooming units.
Mobile Home.	Any zone.	One space for each living unit plus one additional space for each four living units.

(b) Exceptions to Basic Requirements. The number of parking spaces prescribed in the table in subsection (a) shall be reduced by 25 percent in each of the following cases:

1. In a Multi-Family Dwelling Residential Facility which is limited in occupancy to persons over the age of 60 years.
2. In a Multi-Family Dwelling Residential Facility which is located within 600 feet from the center of an existing or scheduled station of the San Francisco Bay Area Rapid Transit District, as measured along a permanently accessible pedestrian route between said center and the lot line of the lot containing the Residential Facility.
3. In a dormitory, fraternity, or similar facility in which the occupants are prevented from operating a motor vehicle by special restriction or because they are below legal driving age.

SECTION 7512 OFF-STREET PARKING - CIVIC ACTIVITIES. Except as otherwise provided in Sections 7501, 7503, 7518, and 7519, and subject to the calculation rules set forth in Section 7510, the following amounts of off-street parking are required for the specified Civic Activities when located in the indicated zones and occupying facilities of the specified sizes or having the indicated numbers of employees or doctors, and shall be developed and maintained pursuant to the provisions of Section 7535 through Section 7549, inclusive:

<u>Civic Activity</u>	<u>Minimum Total Size for Which Parking Required</u>	<u>Zone</u>	<u>Requirement</u>
(a) Essential Service. Limited Child-Care.	- - -	Any zone.	No spaces required.
(b) Nursing Home.	No minimum.	Any zone.	One space.
(c) Community Assembly: playgrounds and playing fields; concessions located in public parks; temporary non-profit festivals.	No minimum.	Any zone.	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 7509.
private non-profit clubs and lodges.	- - -	Any zone.	No spaces required.
churches and all other.	Total of 75 seats, or 750 square feet of floor area where seats are not fixed, in principal meeting rooms.	C-10, C-35, C-45.	One space for each 15 seats, or for each 150 square feet of floor area where seats are not fixed, in principal meeting rooms.
		Any other zone except C-50 and S-2.	One space for each 10 seats, or for each 100 square feet of floor area where seats are not fixed, in principal meeting rooms.
		S-2.	One space for each 20 seats, or for each 200 square feet of floor area where seats are not fixed, in principal meeting rooms.
		C-50.	No spaces required.

(d) Community Education: high schools.	No minimum.	Any zone.	One space for each three employees plus one space for each 10 students of planned capacity.
	all other.	Any zone.	One space for each three employees.
(e) Non-Assembly Cultural. Administrative.	3,000 square feet of floor area.	C-10, C-35, C-45.	One space for each 900 square feet of floor area.
		Any other zone except C-50 and S-2.	One space for each 600 square feet of floor area.
		S-2.	One space for each 1,400 square feet of floor area.
		C-50.	No spaces required.
(f) Utility and Vehicular.	3,000 square feet of floor area.	Any zone except C-50 and S-2.	One space for each three employees plus one space for each vehicle used in connection with the activities.
		C-50, S-2.	One space for each vehicle used in connection with the activities.
(g) Health Care: hospitals.	No minimum.	Any zone.	One space for each four beds, plus one space for each four employees other than doctors, plus one space for each staff or regular visiting doctor.
	clinics.	Any zone.	Three spaces for each staff or regular visiting doctor plus one space for each two other employees.
	all other.	Any zone.	One space for each six beds, plus one space for each four employees other than doctors, plus one space for each staff or regular visiting doctor.



(h) Extensive Impact: colleges or universities.	No minimum.	Any zone.	One space for each three employees plus one space for each six students of planned capacity.
all other.	No minimum.	Any zone.	A number of spaces to be prescribed by the Director of City Planning pursuant to Section 7509.

#### SECTION 7513 OFF-STREET PARKING - COMMERCIAL ACTIVITIES.

Except as otherwise provided in Sections 7501, 7503, 7518, and 7519, and subject to the calculation rules set forth in Section 7510, the following amounts of off-street parking are required for the specified Commercial Activities when located in the indicated zones and occupying facilities of the indicated sizes or kinds, or having the indicated numbers of employees, and shall be developed and maintained pursuant to the provisions of Section 7535 through Section 7549, inclusive:

<u>Commercial Activity</u>	<u>Minimum Total Size for Which Parking Required</u>	<u>Zone</u>	<u>Requirement</u>
(a) Food Sales and Service.	3,000 square feet of floor area.	C-10, C-35, C-45.	One space for each 300 square feet of floor area.
		Any other zone except C-50 and S-2.	One space for each 200 square feet of floor area.
		C-50, S-2.	No spaces required.
(b) Convenience Sales and Service. Medical Service. General Retail Sales, except when sales are primarily of bulky merchandise such as furniture or	3,000 square feet of floor area.	C-10, C-35, C-45.	One space for each 600 square feet of floor area.
		Any other zone except C-50 and S-2.	One space for each 400 square feet of floor area.
		C-50, S-2.	No spaces required.

<p>large appliances. General Personal Service. Consumer Laundry and Repair Service, except when services consist primarily of repair or cleaning of large items such as furniture or carpets. General Wholesale Sales, whenever 50% or more of all sales on the lot are at retail. Undertaking Service.</p>			
<p>(c) Consultative and Financial Service. Administrative. Business and Communication Service. Retail Business Supply, whenever 50% or more of all sales on the lot are at retail. Research Service.</p>	<p>3,000 square feet of floor area.</p>	<p>C-10, C-35, C-45.</p>	<p>One space for each 900 square feet of floor area.</p>
		<p>Any other zone except C-50 and S-2.</p>	<p>One space for each 600 square feet of floor area.</p>
		<p>S-2.</p>	<p>One space for each 1,400 square feet of floor area.</p>
		<p>C-50.</p>	<p>No spaces required.</p>
<p>(d) Retail Business Supply, whenever less than 50% of all sales on the lot are at retail. General Wholesale Sales, whenever less than 50% of all sales on the lot are at retail. Construction Sales and Service.</p>	<p>5,000 square feet of floor area.</p>	<p>Any zone except C-50.</p>	<p>One space for each 1,000 square feet of floor area, or for each three employees, whichever requires fewer spaces.</p>
		<p>C-50.</p>	<p>No spaces required.</p>

(e) Group Assembly.	Total of 75 seats in indoor places of assembly with fixed seats, or 750 square feet of floor area in dance halls or other indoor places of assembly without fixed seats, or 5,000 square feet of outdoor assembly area.	C-10, C-35, C-45.	One space for each 12 seats in indoor places of assembly with fixed seats, plus one space for each 120 square feet of floor area in indoor places of assembly without fixed seats, plus a number of spaces to be prescribed by the Director of City Planning, pursuant to Section 7509, for outdoor assembly areas.
		Any other zone except C-50 and S-2.	One space for each eight seats in indoor places of assembly with fixed seats, plus one space for each 80 square feet of floor area in indoor places of assembly without fixed seats, plus a number of spaces to be prescribed by the Director of City Planning, pursuant to Section 7509, for outdoor assembly areas.
		S-2.	One space for each 16 seats in indoor places of assembly with fixed seats, plus one space for each 160 square feet of floor area in indoor places of assembly without fixed seats, plus a number of spaces to be prescribed by the Director of City Planning, pursuant to Section 7509, for outdoor assembly areas.
		C-50.	No spaces required.



(f) Transient Habitation.	No minimum.	Any zone except C-50.	One space for each unit in a motel and three spaces for each four units in a hotel.
		C-50.	One space for each unit in a motel and one space for each two units in a hotel.
(g) General Retail Sales, whenever sales are primarily of bulky merchandise such as furniture or large appliances. Consumer Laundry and Repair Service, whenever services consist primarily of repair or cleaning of large items such as furniture or carpets. Animal Care.	5,000 square feet of floor area.	Any zone except C-50.	One space for each 1,000 square feet of floor area.
		C-50.	No spaces required.
(h) Automotive Servicing. Automotive Fee Parking. Automotive Repair and Cleaning.	No minimum.	Any zone except C-50.	One space for each 1,000 square feet of floor area.
		C-50.	No spaces required.
(i) Transport and Warehousing. Scrap Operation.	10,000 square feet of floor area and outdoor storage, processing, or sales area.	Any zone except C-50.	One space for each 2,000 square feet of floor area, or for each three employees, whichever requires the greater number of spaces; provided that in the case of Scrap Operation Commercial Activities

		whenever storage and sale, from the premises, or dismantling or other processing of used or waste materials which are not intended for reuse in their original form, when the foregoing are not part of a manufacturing operation, occupy less than 50% of the floor and open area of the firm on a single lot, the parking requirement shall be as prescribed for the other activities engaged in by the same firm on the same lot.
	C-50.	No spaces required.

SECTION 7514 OFF-STREET PARKING - MANUFACTURING ACTIVITIES. Except as otherwise provided in Sections 7501, 7503, 7518, and 7519, and subject to the calculation rules set forth in Section 7510, there shall be required, wherever there is a total of not less than 5,000 square feet of floor area devoted to any Manufacturing Activity on a lot, and in any zone except the C-50 Zone, one off-street parking space for each 1,500 square feet of the total floor area devoted to such activity or for each three employees in such activity, whichever requires the greater number of spaces. Off-street parking is not required for Manufacturing Activities in the C-50 Zone. The parking prescribed above shall be developed and maintained pursuant to the provisions of Section 7535 through Section 7549, inclusive.

SECTION 7515 OFF-STREET PARKING - AGRICULTURAL AND EXTRACTIVE ACTIVITIES. Except as otherwise provided in Sections 7501, 7503, 7518, and 7519, and subject to the calculation rules set forth in Section 7510, there shall be required, wherever there is a total of not less than 5,000 square feet of floor area or outdoor sales or display area devoted to any Agricultural or Extractive Activity on a lot, and in any zone except the C-50 Zone, one off-street parking space for each 1,000 square feet of the total floor area or outdoor sales or display area devoted to such activity. Off-street parking is not required for Agricultural and Extractive Activities in the C-50 Zone. The parking prescribed above shall be developed and maintained pursuant to the provisions of Section 7535 through Section 7549, inclusive.

SECTION 7518 CONDITIONAL USE PERMIT FOR REDUCTION OF TOTAL REQUIREMENTS IN SHARED PARKING AREA. For a joint off-street parking area which serves two or more nonresidential activities in any zone, or Residential Activities in the R-90 or C-50 Zone, and which meets the conditions set forth in Section 7536, the total parking requirement for the sharing activities may be reduced by not to exceed 50 percent upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200 and upon determination that the typical utilization of the parking area would be staggered to such an extent that the reduced number of spaces would be adequate to serve all such activities.

SECTION 7519 WAIVER OR REDUCTION OF PARKING REQUIREMENTS IN DISTRICTS PROVIDING COMMON PARKING AREAS. The off-street parking requirements specified above for nonresidential activities in any zone, or for Residential Activities in the R-90 or C-50 Zone, may be waived or reduced by the Director of City Planning when said activities are located within a municipal parking district or assessment district the function of which is to provide off-street parking, upon a finding that, in consideration of existing or prospective municipal parking facilities, such waiver or reduction would not substantially contribute to traffic congestion or impair the efficiency of on-street parking. Any determination on such waiver or reduction shall be subject to appeal pursuant to the ADMINISTRATIVE APPEAL PROCEDURE at Section 9100.

#### OFF-STREET LOADING REQUIREMENTS

SECTION 7521 OFF-STREET LOADING - RESIDENTIAL ACTIVITIES. Except as otherwise provided in Sections 7501 and 7503, the following amounts of off-street loading are required in all zones for the specified Residential Activities when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Section 7535 through Section 7549, inclusive:

<u>Residential Activity and Total Floor Area of Facilities Occupied</u>	<u>Requirement</u>
(a) Permanent.	No berths required.
(b) Semi-Transient, occupying the following floor area:	
Less than 20,000 square feet.	No berths required.
20,000-99,999 square feet.	One berth.
100,000-299,999 square feet.	Two berths.
Each additional 300,000 square feet or fraction of one-half or more thereof.	One additional berth.



SECTION 7522 OFF-STREET LOADING - CIVIC ACTIVITIES. Except as otherwise provided in Sections 7501 and 7503, the following amounts of off-street loading are required in all zones for the specified Civic Activities when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Section 7535 through Section 7549, inclusive:

Civic Activity and Total  
Floor Area of Facilities  
Occupied

Requirement

(a) Community Assembly, Community Education, Non-Assembly Cultural, or Administrative, occupying the following floor area:

Less than 20,000 square feet.  
20,000-99,999 square feet.  
100,000-299,999 square feet.  
Each additional 300,000 square feet or fraction of one-half or more thereof.

No berths required.  
One berth.  
Two berths.  
One additional berth.

(b) Health Care, occupying the following floor area:

Less than 10,000 square feet.  
10,000-99,999 square feet.  
100,000-299,999 square feet.  
Each additional 300,000 square feet or fraction of one-half or more thereof.

No berths required.  
One berth.  
Two berths.  
One additional berth.

(c) Utility and Vehicular or Extensive Impact.

A number of berths to be prescribed by the Director of City Planning pursuant to Section 7509.

(d) All other Civic Activities.

No berths required.

SECTION 7523 OFF-STREET LOADING - COMMERCIAL ACTIVITIES. Except as otherwise provided in Sections 7501 and 7503, the following amounts of off-street loading are required in all zones for the specified Commercial Activities when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Section 7535 through Section 7549, inclusive:

Commercial Activity and Total  
Size of Facilities Occupied

Requirement

(a) Convenience Sales and Service, General Retail Sales, Group Assembly, Consumer Laundry and Repair Service, Business and

- Communication Service, Retail Business Supply, Research Service, Automotive Servicing, Automotive Repair and Cleaning, or Animal Care, occupying facilities with the following floor area:
- Less than 10,000 square feet. No berths required.
  - 10,000-24,999 square feet. One berth.
  - 25,000-39,999 square feet. Two berths.
  - 40,000-59,999 square feet. Three berths.
  - 60,000-99,999 square feet. Four berths.
  - Each additional 150,000 square feet or fraction of one-half or more thereof. One additional berth.
- (b) Medical Service, General Personal Service, Consultative and Financial Service, Administrative, or Transient Habitation, occupying facilities with the following floor area:
- Less than 20,000 square feet. No berths required.
  - 20,000-99,999 square feet. One berth.
  - 100,000-299,999 square feet. Two berths.
  - Each additional 300,000 square feet or fraction of one-half or more thereof. One additional berth.
- (c) Food Sales and Service, General Wholesale Sales, Construction Sales and Service, Automotive Sales, Rental, and Delivery, or Transport and Warehousing, occupying facilities with the following floor area:
- Less than 10,000 square feet. No berths required.
  - 10,000-24,999 square feet. One berth.
  - 25,000-39,999 square feet. Two berths.
  - 40,000-59,999 square feet. Three berths.
  - 60,000-99,999 square feet. Four berths.
  - Each additional 80,000 square feet or fraction of one-half or more thereof. One additional berth.
- (d) Undertaking Service, occupying facilities with the following floor area:
- Less than 2,500 square feet. No berths required.
  - 2,500-4,999 square feet. One berth.
  - Each additional 10,000 square feet or fraction of one-half or more thereof. One additional berth.
- (e) Scrap Operation, occupying facilities with the following amounts of floor area and outdoor storage, processing, or sales area:

0-24,999 square feet.	One berth.
25,000-59,999 square feet.	Two berths.
60,000-99,999 square feet.	Three berths.
Each additional 100,000 square feet or fraction of one-half or more thereof.	One additional berth.
(f) All other Commercial Activities.	No berths required.

SECTION 7524 OFF-STREET LOADING - MANUFACTURING ACTIVITIES. Except as otherwise provided in Sections 7501 and 7503, the following amounts of off-street loading are required in all zones for all Manufacturing Activities when occupying facilities of the indicated sizes, and shall be developed and maintained pursuant to the provisions of Section 7535 through Section 7549, inclusive:

<u>Total Floor Area of Facilities Occupied</u>	<u>Requirement</u>
Less than 10,000 square feet.	No berths required.
10,000-24,999 square feet.	One berth.
25,000-39,999 square feet.	Two berths.
40,000-59,999 square feet.	Three berths.
60,000-99,999 square feet.	Four berths.
Each additional 80,000 square feet or fraction of one-half or more thereof.	One additional berth.

SECTION 7525 OFF-STREET LOADING - AGRICULTURAL AND EXTRACTIVE ACTIVITIES. Off-street loading is not required in any zone for Agricultural or Extractive Activities.

## STANDARDS FOR REQUIRED PARKING AND LOADING FACILITIES

SECTION 7535 PROPERTY ON WHICH PARKING AND LOADING MUST BE PROVIDED.

(a) Parking Spaces and Loading Berths. Off-street parking spaces and loading berths required by the ZONING REGULATIONS shall be located as set forth below for the specified activities. When a maximum distance from the lot containing the activity served to another lot is prescribed, it shall be measured along a permanently accessible pedestrian route between a lot line of the former lot and the nearest boundary of the off-site parking or loading area.



Required Facility and  
Activity It Serves

Zone

Location

Parking spaces for any Residential Activity.	R-90, C-50.	On the same lot as the activity served; or, subject to the provisions of Section 7536, on another lot located within 300 feet and having at least one owner in common with the former lot.
	Any other zone.	On the same lot as the activity served.
Parking spaces for any Manufacturing Activity; Administrative or Utility and Vehicular Civic Activities; or Administrative, Research Service, Transport and Warehousing, or Scrap Operation Commercial Activities.	Any zone.	On the same lot as the activity served; or, subject to the provisions of Section 7536, on another lot located within 500 feet and having at least one owner in common with the former lot.
Parking spaces for any activity not listed above.	Any zone.	On the same lot as the activity served; or, subject to the provisions of Section 7536, on another lot located within 300 feet and having at least one owner in common with the former lot.
Loading berths for any activity.	Any zone.	On the same lot as the activity served; or, subject to the provisions of Section 7536, on an abutting lot having at least one owner in common with the former lot, except that a jointly owned off-street loading facility for nonresidential activities in any zone, or for Residential Activities in the R-90 or C-50 Zone, may, upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200 and subject to the provisions of Section 7536, be located on a lot which does not abut all the lots containing the activities served.

(b) Maneuvering Aisles and Driveways. Required maneuvering aisles and driveways shall be located as specified in subsection (a) for required spaces or berths serving the same activity, except as follows:

1. A required driveway may, subject to the provisions of Section 7536, straddle the lot line of abutting lots in separate ownership if it leads to parking spaces or loading berths on both lots.
2. A required maneuvering aisle or portion thereof may, subject to the provisions of Section 7536, straddle the lot line of abutting lots in separate ownership if there are on both sides of such aisle, or portion thereof, parking spaces or loading berths which are directly opposite each other.
3. Upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE, and subject to the provisions of Section 7536, any required driveway or maneuvering aisle may be located entirely on another lot or lots in separate ownership.

SECTION 7536 CONDITIONS FOR OFF-SITE PARKING OR LOADING.

Whenever, pursuant to Section 7535, any required off-street parking or loading facilities are located on a lot other than the lot containing the activity served, the owner or owners of both lots shall prepare and execute to the satisfaction of the City Attorney, and file with the Alameda County Recorder, an agreement guaranteeing that such facilities will be maintained and reserved for the activity served, for the duration of said activity.

SECTION 7538 UTILIZATION OF OFF-STREET PARKING AND LOADING FACILITIES. Facilities which are intended to meet the off-street parking and loading requirements of the ZONING REGULATIONS shall be made permanently available to, and maintained so as to permit utilization by, the residents, shoppers, employees, or other participants in, or the loading operations of, the activity or activities served. No area may be utilized and counted both as a required parking space and a required loading berth. However, maneuvering aisles and driveways may serve both required parking spaces and loading berths if they meet the requirements specified hereafter for both parking and loading facilities.

SECTION 7539 PARKING SPACE DIMENSIONS. All required parking spaces shall have the minimum dimensions set forth below. Compact parking spaces shall count toward the off-street parking requirements of the ZONING REGULATIONS only if located on a lot containing a total of five or more required spaces. On such a lot, one compact space may be provided in lieu of one regular space for each five required spaces, or remaining fraction of one-half or more thereof. All other required parking spaces shall be regular spaces.

(a) Regular Parking Spaces. A regular parking space shall be not less than 18 feet long and eight and one-half feet wide for all parking patterns except parallel parking. However, where one or both of the long sides of a regular parking space which is at an angle of 90 degrees or less, but more than 60 degrees, to a maneuvering aisle abuts a wall or other similar obstruction, the width specified above shall be increased by three feet. For parallel parking, a regular parking space shall be not less than 22 feet long and eight feet wide.

(b) Compact Parking Spaces. A compact parking space shall be not less than 16 feet long and seven and one-half feet wide for all parking patterns except parallel parking. For parallel parking, a compact parking space shall be not less than 20 feet long and seven feet wide.

#### SECTION 7540 DRIVEWAYS AND MANEUVERING AISLES FOR PARKING.

Where necessary, maneuvering aisles and driveways shall be provided of such design and arrangement as to provide adequate ingress to and egress from all required parking spaces. (See also Sections 7543, 7544, and 7546.) A driveway serving any required off-street parking area shall have a minimum width of nine feet. Maneuvering aisles necessary for access into and out of required parking spaces shall have the following minimum widths, whether serving regular or compact parking spaces:

(a) Where parking is parallel: 12 feet.

(b) Where parking is at an angle of 45 degrees or less: 12 feet.

(c) Where parking is at an angle of 60 degrees or less but more than 45 degrees: 16 feet.

(d) Where parking is at angle of 90 degrees or less but more than 60 degrees: 24 feet.

SECTION 7541 LOADING BERTH DIMENSIONS. All required loading berths shall have the minimum dimensions set forth below when serving the indicated activities; provided that where one or both of the long sides of a berth which is at an angle of 90 degrees or less, but more than 60 degrees, to a maneuvering aisle abuts a wall or other similar obstruction, each of the widths specified below shall be increased by three feet. However, the minimum height or length of a required berth may in any case be reduced upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200 and upon determination that such smaller dimensions are ample for the size and type of trucks or goods which foreseeably will be involved in the loading operations of the activity served.

(a) For all Manufacturing Activities and for Retail Business Supply, General Wholesale Sales, Construction Sales and Service, Automotive Sales, Rental, and Delivery, Automotive Servicing, Transport and Warehousing, and Scrap Operation Commercial Activities: 45 feet long, 12 feet wide, and 14 feet high.

(b) For Undertaking Service Commercial Activities: 25 feet long, 10 feet wide, and eight feet high.



(c) For all other activities for which loading facilities are required: 33 feet long, 12 feet wide, and 14 feet high.

SECTION 7542 DRIVEWAYS AND MANEUVERING AISLES FOR LOADING. Where necessary, maneuvering aisles and driveways shall be provided of such design and arrangement as to allow efficient utilization of all required loading berths by motor vehicles of the types typically employed by the activities served. (See also Sections 7543, 7544, and 7546.)

SECTION 7543 TANDEM SPACES AND BERTHS. A vehicle shall not have to cross another loading berth, or a parking space, in order to gain access to any required loading berth. On any lot containing three or more required off-street parking spaces, or containing required spaces for two or more Residential living units, a vehicle shall not have to cross another parking space, or a loading berth, in order to gain access to a required parking space, except that tandem parking may be permitted for nonresidential activities upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200 and upon determination that such proposal conforms to either or both of the following use permit criteria:

(a) That a full-time parking attendant supervises the parking arrangements at all times when the activities served are in active operation.

(b) That there are a total of 10 or fewer parking spaces on a lot, or within a separate parking area or areas on a lot, which spaces are provided solely for employees.

SECTION 7544 MAXIMUM BACKING DISTANCE. All required off-street parking facilities which are located on any lot containing three or more required parking spaces or containing required spaces for two or more Residential living units, and all required off-street loading facilities on any lot, shall be so designed and located that a vehicle need not back up from any such required parking space or loading berth for a distance greater than 100 feet in order to reach a street.

SECTION 7546 SURFACING AND GRADE OF PARKING AND LOADING FACILITIES. The maximum slope of any required maneuvering aisle, parking space, or loading berth shall be 10 percent. The maximum slope of any required driveway shall be 25 percent. All required parking and loading facilities shall have a durable, dustless, all-weather surface; shall have satisfactory disposal of surface waters by grading and drainage; and shall be permanently maintained in good condition. All required off-street parking facilities located on any lot containing three or more required spaces, and all required off-street loading facilities on any lot, shall be so designed that surface water will not drain over any sidewalk.

SECTION 7547 SCREENING AND SETBACK OF PARKING AND LOADING AREAS.

(a) Residential or S-1, S-2, or S-3 Zone. In all residential zones and in the S-1, S-2, and S-3 Zones, all open off-street parking

areas on any lot containing three or more spaces, and all open off-street loading areas on any lot, shall be screened from abutting lots, except where a maneuvering aisle is shared with the abutting lot in the manner described in Section 7535(b)2, by dense landscaping not less than five and one-half feet high and not less than three feet wide or by a solid lumber or masonry fence or wall not less than five and one-half feet high, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING at Section 8100 and the exceptions stated in said chapter. All such areas shall be screened from all abutting streets, alleys, and paths, and private streets and other ways described in Section 7051, by dense landscaping not less than three and one-half feet high and not less than three feet wide or by a solid or grille, lumber or masonry fence or wall not less than three and one-half feet high, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING and the exceptions stated therein. No <sup>unroofed</sup> parking space or loading berth on such lots shall be located within five feet from any street line or alley.

(b) Commercial or Industrial Zone. Off-street parking and loading facilities shall be screened, and restricted in their location on a lot, when and as prescribed in Sections 7111 and 7115 of the BUFFERING REGULATIONS or in the applicable individual ZONE REGULATIONS or development control maps.

SECTION 7548 CONTROL ON ARTIFICIAL ILLUMINATION OF PARKING AND LOADING FACILITIES. In all residential zones and in the S-1, S-2, and S-3 Zones, artificial illumination of all off-street parking areas located on any lot containing three or more parking spaces and all off-street loading areas on any lot, and of driveways related thereto, shall be nonflashing and shall be directed away from all abutting lots and from any on-site Residential living units so as to eliminate objectionable glare. In commercial and industrial zones, artificial illumination of off-street parking and loading facilities shall be controlled when and as specified in Section 7111 of the BUFFERING REGULATIONS.

SECTION 7549 SPECIAL REQUIREMENTS APPLYING IN SOME ZONES. Whenever required off-street parking or loading facilities are located where the applicable individual ZONE REGULATIONS or development control maps require a conditional use permit for parking or loading or prescribe other special controls thereon, such regulations shall be complied with in addition to the standards prescribed above for required parking and loading.

## PERFORMANCE STANDARDS

SECTION 7700 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 7700 through Section 7724, inclusive, shall be known as the PERFORMANCE STANDARDS. The purpose of these standards is to control dangerous or objectionable environmental effects of Commercial and Manufacturing Activities. These standards shall apply to the indicated Commercial and Manufacturing Activities in the zones and situations specified hereinafter.

SECTION 7701 EXISTING ACTIVITIES. Activities existing on the effective date of the ZONING REGULATIONS, or of a subsequent rezoning or other amendment thereto applying more restrictive performance standards to such activities, shall not be required to change their operations to comply with the PERFORMANCE STANDARDS. However, their operations shall not be so changed as to result in a greater degree of nonconformity with respect to these standards.

SECTION 7703 PROOF OF COMPLIANCE. The Director of City Planning may require the applicant for a building permit or business license to submit such information with respect to proposed machinery, processes, products, or environmental effects as may be necessary to demonstrate the ability of the proposed activities to comply with applicable performance standards. Such required information may include reports by expert consultants. Any such requirement, and any determination by the Director as to sufficiency of proof, may be appealed pursuant to the ADMINISTRATIVE APPEAL PROCEDURE at Section 9100.

SECTION 7704 MEASUREMENTS. When measurements are necessary, levels of dangerous or objectionable environmental effects shall be measured in accordance with accepted engineering practice.

SECTION 7710 NOISE. When located in the zones specified below, all Manufacturing Activities and Consumer Laundry and Repair Service, Business and Communication Service, Research Service, Construction Sales and Service, Automotive Sales, Rental, and Delivery, Automotive Repair and Cleaning, Animal Care, and Scrap Operation Commercial Activities shall be so operated that the sound pressure level inherently and regularly generated by these activities shall not exceed the applicable values indicated in subsection (a), (b), or (c), after modification where applicable by the correction factors indicated in subsection (d). In each case sound from motor vehicles, trains, aircraft, temporary construction or demolition work, and warning devices is exempted from these standards.

(a) When the above activities are located in a residential zone or the S-3 Zone:



<u>Sound Frequency Band in Cycles per Second</u>	<u>Maximum Sound Pressure Level in Decibels at any Lot Line of the Lot Containing the Activities</u>
0-75	67
75-150	62
150-300	54
300-600	47
600-1,200	41
1,200-2,400	35
2,400-4,800	29
4,800 and above	27

(b) When the above activities are located in the M-10 or M-20 Zone:

<u>Sound Frequency Band in Cycles per Second</u>	<u>Maximum Sound Pressure Level in Decibels:</u>	
	<u>At any Lot Line of the Lot Containing the Activities</u>	<u>At any Boundary of a Residential Zone</u>
0-75	74	67
75-150	69	62
150-300	61	54
300-600	54	47
600-1,200	49	41
1,200-2,400	43	35
2,400-4,800	37	29
4,800 and above	34	27

(c) When the above activities are located in the M-30 Zone within 400 feet of any boundary of a residential zone:

<u>Sound Frequency Band in Cycles per Second</u>	<u>Maximum Sound Pressure Level in Decibels at any Boundary of a Residential Zone</u>
0-75	67
75-150	62
150-300	54
300-600	47
600-1,200	41
1,200-2,400	35
2,400-4,800	29
4,800 and above	27

(d) The following correction factors, when applicable, shall be applied to the maximum sound pressure levels indicated in the foregoing subsections:

<u>Time or Type of Noise</u>	<u>Correction in Maximum Permitted Decibels</u>
Emission only between 7 a.m. and 10 p.m. next ensuing.	Plus 5
Emission less than the following (apply only one):	
1. 12 minutes in any one-hour period.	Plus 5
2. three minutes in any one-hour period.	Plus 10

Noise of unusual impulsive  
character, such as  
hammering.

Minus 5

Noise of unusual periodic  
character, such as humming  
or screeching.

Minus 5

SECTION 7711 VIBRATION. All Commercial and Manufacturing Activities which are located in a residential zone or the M-10, M-20, or S-3 Zone, or which are located in the M-30 Zone within 400 feet of any boundary of a residential zone, shall be so operated as not to generate ground vibration which is perceptible without instruments by the average person at or beyond any lot line of the lot containing such activities. Ground vibration caused by motor vehicles, trains, aircraft, and temporary construction or demolition work is exempted from this standard.

SECTION 7712 SMOKE. All Commercial and Manufacturing Activities located in the M-10 or S-3 Zone shall be so operated as not to emit visible smoke as dark as Ringelmann number 2 or its equivalent opacity for more than three minutes in any one-hour period, and visible smoke as dark as Ringelmann number 1 or its equivalent opacity for more than an additional seven minutes in any one-hour period. Darker or more opaque smoke is prohibited at any time.

SECTION 7713 PARTICULATE MATTER AND AIR CONTAMINANTS. All Commercial and Manufacturing Activities which are located in a residential zone or the M-10, M-20, or S-3 Zone, or which are located in the M-30 Zone within 400 feet of any boundary of a residential zone, shall be so operated as not to emit particulate matter or air contaminants which are readily detectable without instruments by the average person at or beyond any lot line of the lot containing such activities.

SECTION 7714 ODORS. When located in the zones specified below, all Commercial and Manufacturing Activities shall be so operated as not to emit matter causing unpleasant odors which are perceptible by the average person at the following points of determination:

Zone in Which Activities are Located  
Any residential zone, M-10, M-20,  
or S-3.

M-30 Zone if within 400 feet of any  
boundary of a residential zone.

Point of Determination  
At or beyond any lot line of  
the lot containing the  
activities.  
At or beyond any boundary of  
a residential zone.

SECTION 7715 HUMIDITY, HEAT, COLD, AND GLARE. When located in the zones specified below, all Commercial and Manufacturing Activities shall be so operated as not to produce humidity, heat, cold, or glare which is perceptible without instruments by the average person at the following points of determination:

Zone in Which Activities  
Are Located

Any residential zone, M-10,  
M-20, or S-3.

M-30 Zone if within 400 feet of  
any boundary of a residential  
zone.

Point of Determination

At or beyond any lot line of  
the lot containing the activ-  
ities.

At or beyond any boundary of a  
residential zone.

SECTION 7716 ELECTRICAL DISTURBANCE. All Commercial and Manu-  
facturing Activities located in a residential zone or the M-10, M-20,  
or S-3 Zone, or located in the M-30 Zone within 400 feet of any  
boundary of a residential zone, shall be so operated as not to cause  
electrical disturbance adversely affecting the operation of any equip-  
ment on any other lot.



## PLANNED UNIT DEVELOPMENT REGULATIONS

SECTION 7800 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 7800 through Section 7849, inclusive, shall be known as the PLANNED UNIT DEVELOPMENT REGULATIONS. The purposes of these regulations are to encourage the appropriate development of tracts of land sufficiently large to allow comprehensive planning, and to provide flexibility in the application of certain regulations in a manner consistent with the general purposes of the ZONING REGULATIONS, thereby promoting a harmonious variety of uses, the economy of shared services and facilities, compatibility with surrounding areas, and the creation of attractive, healthful, efficient, and stable environments for living, shopping, or working. These regulations shall apply to all large, integrated developments for which a planned unit development permit is required by Section 7802.

SECTION 7801 DEFINITION OF PLANNED UNIT DEVELOPMENT. A planned unit development is a large, integrated development adhering to a comprehensive plan and located on a single tract of land, or on two or more tracts of land which may be separated only by a street or other right-of-way.

SECTION 7802 DEVELOPMENTS FOR WHICH APPROVAL IS REQUIRED. The following developments are permitted only upon the granting of a planned unit development permit pursuant to the PLANNED UNIT DEVELOPMENT PROCEDURE at Section 9400. Other large, integrated developments are permitted without such a permit, but shall be subject to all regulations generally applying in the zone in which they are located.

(a) Any planned unit development incorporating any of the bonuses set forth in Section 7812.

(b) Any integrated development which is primarily designed for or occupied by Commercial Activities, which is located in any commercial zone, and which is developed under unified control, in accordance with a comprehensive plan, on a single tract with 60,000 square feet or more of land area, or on two or more tracts which total such area and which are separated only by a street or other right-of-way.

SECTION 7803 OWNERSHIP AND DIVISION OF LAND. If any of the bonuses set forth in Section 7812 are proposed for a development, the tract or tracts of land included in such development must be in one ownership or control or the subject of a joint application by the owners of all the property included. The holder of a written option to purchase; any governmental agency, including the Redevelopment Agency of the City of Oakland; or a redeveloper under contract with the Redevelopment Agency shall be deemed the owner of such land for the purposes of this section. Unless otherwise provided as a condition for approval of a planned unit development permit, the permittee may divide and transfer units of any development for which a permit is required by Section 7802. The transferee shall complete each such unit, and use and maintain it, in strict conformance with the approved permit and development plan.

SECTION 7804 PROFESSIONAL DESIGN. If any of the bonuses set forth in Section 7812 are proposed for a planned unit development, the application for a planned unit development permit pursuant to said section shall certify that the talents of the following professionals will be utilized at some stage in the design process for the development:

(a) An architect licensed by the State of California; and

(b) A landscape architect licensed by the State of California, or an urban planner holding or capable of holding an associate or full membership in the American Institute of Planners or authorized by the State Planning Advisory Committee to work on comprehensive general plan programs.

SECTION 7805 DEDICATION OF PUBLIC FACILITIES AND MAINTENANCE OF OPEN SPACE. The City Planning Commission or, on appeal, the City Council may, as a condition of approval of any development for which a permit is required by Section 7802, require that suitable areas for schools, parks, or playgrounds be set aside, improved, and dedicated for public use, or be permanently reserved for the owners, residents, employees, or patrons of the development. Whenever group or common open space is provided, the Commission or the Council, as the case may be, may require that an association of owners or tenants be created for the purpose of maintaining such open space. Such an association, if required, may undertake other functions. It shall be created in such a manner that owners of property shall automatically be members and shall be subject to assessments levied to maintain said open space for the purposes intended. The period of existence of such association shall be not less than 20 years, and it shall continue thereafter and until a majority vote of the members shall terminate it.

SECTION 7810 ZONES IN WHICH BONUSES MAY BE GRANTED. The bonuses set forth in Section 7812 may, upon approval pursuant thereto and except as otherwise specified in said section, be permitted for a planned unit development in any residential or commercial zone except the R-10 and R-20 Zones.

SECTION 7811 MINIMUM SIZE FOR WHICH BONUSES MAY BE GRANTED. The minimum total land area of any planned unit development incorporating any of the bonuses set forth in Section 7812 shall be four acres in the R-30 Zone, and 60,000 square feet in all other zones except the C-20 Zone. In the C-20 Zone the minimum total land area shall be four acres for any planned unit development incorporating any of the bonuses set forth in Section 7812(d), and 60,000 square feet for any other planned unit development incorporating any of the bonuses set forth in Section 7812.

SECTION 7812 BONUSES. For planned unit developments qualifying under Sections 7810 and 7811, the following exceptions to otherwise applicable regulations may be permitted upon the granting of a planned unit development permit pursuant to the PLANNED UNIT DEVELOPMENT PROCEDURE at Section 9400:

(a) Additional Permitted Activities Where Increase in Overall Density or Floor-Area Ratio Is Proposed. Except in the R-30 Zone, the following activities, as described in the USE CLASSIFICATIONS at Section 2200, may be permitted in a planned unit development incorporating an increase in overall density or floor-area ratio pursuant to subsection (d), in addition to the activities generally permitted in the zone in



which the development is located:

1. Residential Activities:  
Permanent
2. Civic Activities:  
Limited Child-Care  
Community Education
3. Commercial Activities, provided that such activities shall not occupy in the aggregate more than four percent of the total floor area in such development, provided that the maximum floor area devoted to such activities by any single establishment shall be 3,000 square feet, and further provided that such activities shall not be permitted at all in any such development which has an overall density in Residential Facilities of less than 40 dwelling units per net residential acre (excluding streets and other rights-of-way):  
Food Sales and Service  
Convenience Sales and Service  
Medical Service

(b) Further Additional Permitted Activities Where No Increase in Overall Density or Floor-Area Ratio Is Proposed. Except in the R-30 Zone, the following activities, as described in the USE CLASSIFICATIONS, may be permitted in a planned unit development for which no increase in overall density or floor-area ratio is proposed pursuant to subsection (d), in addition to the activities listed in subsection (a) and in addition to the activities generally permitted in the zone in which the development is located. The special limitations prescribed in Section 7812(a)3 with respect to location and amount of floor area devoted to Commercial Activities shall not apply in such a development.

1. Residential Activities:  
Semi-Transient
2. Civic Activities:  
Nursing Home  
Community Assembly  
Non-Assembly Cultural  
Administrative  
Utility and Vehicular
3. Commercial Activities:  
General Retail Sales  
General Personal Service  
Consultative and Financial Service  
Consumer Laundry and Repair Service  
Group Assembly  
Administrative  
Retail Business Supply  
Business and Communication Service  
Research Service  
General Wholesale Sales  
Automotive Servicing  
Automotive Fee Parking  
Animal Care
4. Manufacturing Activities:  
Custom



(c) Additional Permitted Facilities. Except in the R-30 Zone, the following facilities, as described in the USE CLASSIFICATIONS, may be permitted in addition to the facilities otherwise permitted in the zone in which the development is located:

1. Residential Facilities:
  - One-Family Dwelling
  - Two-Family Dwelling
  - Multi-Family Dwelling
  - Rooming House
2. Nonresidential Facilities:
  - Open
  - Drive-In
3. Signs:
  - Residential
  - Business

(d) Increase in Overall Density or Floor-Area Ratio.

1. Except in the R-30 Zone and except in a development incorporating the bonuses specified in subsection (b), the maximum overall number of living units in Residential Facilities and the maximum overall floor-area ratio, if any, otherwise permitted or conditionally permitted in the zone in which the development is located may be increased by up to 33 percent if the development contains a combination of two or more of the following dwelling types and if not more than two-thirds of the total number of living units are included in any one of such types:
  - a. Detached buildings each containing only one dwelling unit.
  - b. Town house or similar one-family semi-detached or attached buildings each containing only one dwelling unit.
  - c. Buildings each containing two dwelling units.
  - d. Buildings each containing more than two dwelling units.
2. Except in the R-30 Zone and except in a development incorporating the bonuses specified in subsection (b), the maximum overall number of living units in Residential Facilities and the maximum overall floor-area ratio, if any, otherwise permitted or conditionally permitted in the zone in which the development is located may be increased by up to 25 percent in a development other than one described in Section 7812(d)1.

(e) Distribution of Facilities Without Reference to Lot Lines.

The overall number of living units and amount of floor area; off-street parking and loading facilities; usable open space; and landscaping and screening may be located within the development without reference to lot lines, except that required parking spaces serving Residential Activities shall be located within 200 feet of the building containing the living units served.

(f) Waiver or Reduction of Yard and Other Dimensional Requirements.

Except as otherwise provided in Section 7813(b), the minimum lot area, width, and frontage; height; and yard requirements otherwise applying may be waived or modified for the purpose of promoting an integrated site plan.

(g) Limitations on Signs. Except in the R-30 Zone and except in a development incorporating an increase in density or floor-area ratio pursuant to subsection (d), Signs may be developed subject to the limitations prescribed therefor in the C-20 Zone rather than those in the zone in which the development is located.

SECTION 7813 DEVELOPMENT STANDARDS. The following regulations shall apply to all developments for which a permit is required by Section 7802:

(a) Performance Standards. Any Commercial or Manufacturing Activities in the development shall be subject to the applicable provisions of the PERFORMANCE STANDARDS at Section 7700.

(b) Yards and Courts. Yards and courts shall be provided of such depth and width as to provide the same minimum separation between walls of Residential Facilities or between such facilities and the walls of other facilities, regardless of whether such walls are on the same lot or on separate lots, as is generally required in the R-60 Zone for courts between such walls when located on the same lot.

(c) Usable Open Space. In the R-30 Zone, 200 square feet of group usable open space per dwelling unit and 100 square feet of private usable open space per dwelling unit shall be provided for Residential Facilities. In any other zone, in any development incorporating an increase in overall density or floor-area ratio pursuant to Section 7812(d), group usable open space shall be provided for Residential Facilities in the minimum amount of 200 square feet per dwelling unit. Except as otherwise provided in Section 7812(e), all required usable open space shall conform to the STANDARDS FOR REQUIRED USABLE OPEN SPACE at Section 8300, and private usable open space may be substituted for required group space in the ratio prescribed in said chapter.

(d) Undergrounding of Utilities. In any development which is primarily designed for or occupied by Residential Activities, all electric and telephone facilities; fire alarm conduits; street light wiring; and other wiring, conduits, and similar facilities shall be placed underground by the developer. Electric and telephone facilities shall be installed in accordance with standard specifications of the serving utilities. Street lighting and fire alarm facilities shall be installed in accordance with standard specifications of the Electrical Department.

(e) Other Regulations. Except as otherwise provided in Section 7812 and in this section, and except as more restrictive regulations may be prescribed pursuant to Section 7805 or otherwise as a condition of approval of a planned unit development permit pursuant to Section 7802, the development shall be subject to the regulations generally applying in the zone in which it is located and the provisions of Section 7082.



## STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING

SECTION 8100 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 8100 through Section 8124, inclusive, shall be known as the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING. The purpose of these provisions is to prescribe standards for development and maintenance of planting, fences, and walls, for the conservation and protection of property through provision of barriers against traffic, trespass, noise, heat, glare, and dust, and through improvement of the appearance of individual properties, neighborhoods, and the City. These standards shall apply to all landscaping and screening required by other provisions of the ZONING REGULATIONS.

SECTION 8101 MAINTENANCE. All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. All required fences and walls shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.

SECTION 8102 REQUIRED MATERIALS AND OPACITY. Required landscaping, fences, and walls shall be composed of the materials prescribed in other provisions of the ZONING REGULATIONS. Where trees are required they shall be of a species, degree of maturity, and spacing prescribed by the Director of City Planning, subject to the right of appeal from such determination pursuant to the ADMINISTRATIVE APPEAL PROCEDURE at Section 9100. Where dense landscaping to a specified height is prescribed, the landscaping shall be of a type which will provide a year-round barrier to the prescribed height, and shall be so spaced that vision of objects on the opposite side is effectively eliminated. Where a grille fence or wall is prescribed, it shall have a uniform screen or other open-work design, with an opacity of not less than 25 and not more than 75 percent.

SECTION 8103 COMBINATION OF MATERIALS. Whenever two or more alternative types of landscaping, fences, or walls are prescribed, they may be provided singly or in any combination.

SECTION 8104 REFERENCE LEVEL FOR PRESCRIBED HEIGHTS. The prescribed heights of required landscaping, fences, or walls shall be measured above the actual adjoining level of finished grade, except that where parking, loading, storage, or similar areas, or usable open space, are located above finished grade the height of landscaping, fences, or walls required to screen such areas or space shall be measured above the adjoining level thereof.

SECTION 8110 EXCEPTIONS TO REQUIREMENTS. The landscaping and screening requirements set forth in other provisions of the ZONING REGULATIONS shall be subject to the following exceptions:

(a) Equivalent Screening on Abutting Lot. Prescribed fences, walls, or dense landscaping need not be provided along a lot line if a building, fence, wall, or dense landscaping of at least equivalent height, opacity, and maintenance exists immediately abutting and on the opposite side of said lot line.



(b) Window on Abutting Lot. Prescribed fences, walls, or dense landscaping need not be higher than three and one-half feet when located opposite and within three feet of any window in a Residential Facility on an abutting lot, other than a window in a basement or cellar, or within three feet of any portion of the same story of the wall containing such window and lying within 10 feet in either direction from said window. Landscaping or a fence or wall shall be considered opposite such a window or portion of wall whenever it would be intersected by a horizontal plane drawn from the wall perpendicularly to the window.

(c) Adjacent to Excavated Parking or Loading Area. Where an off-street parking or loading area, or a side thereof, is excavated below finished grade, the mean depth of excavation may be deducted from the prescribed height of fences, walls, or dense landscaping required adjacent thereto.

(d) Height Within Required Minimum Yard or Court. Required fences, walls, or dense landscaping need not be higher than three and one-half feet in that portion of any required minimum yard which lies within 10 feet of any street line. The height of fences, walls, and dense landscaping shall be limited within all required minimum yards and courts by the applicable provisions of Section 7090(n).

(e) General Exceptions to Prescribed Heights. The prescribed heights of dense landscaping shall indicate the height to be attained within three years after planting. The height at time of planting may be not more than two feet lower for dense landscaping required to be taller than five feet, and not more than one foot lower for dense landscaping for which a height of less than five feet is prescribed. An earthen berm not taller than two feet may count toward the prescribed height of any fence, wall, or dense landscaping.

## STANDARDS FOR REQUIRED USABLE OPEN SPACE

SECTION 8300 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 8300 through Section 8324, inclusive, shall be known as the STANDARDS FOR REQUIRED USABLE OPEN SPACE. The purpose of these provisions is to prescribe standards for the development and maintenance of outdoor living areas which are accessory to Residential Facilities and which fulfill the need for outdoor leisure and recreation. These standards shall apply to all usable open space required by other provisions of the ZONING REGULATIONS.

SECTION 8301 SUBSTITUTION OF PRIVATE SPACE FOR GROUP SPACE. Each square foot of private usable open space conforming to the provisions of Section 8320 shall be considered equivalent to two square feet of required group usable open space and may be so substituted, subject to any minimum requirements for actual group space prescribed in the applicable individual ZONE REGULATIONS.

SECTION 8310 GROUP USABLE OPEN SPACE. All required group usable open space shall be permanently maintained, shall be located on the same lot as the living units it serves, and shall conform to the following standards:

(a) Usability. A surface shall be provided which prevents dust and allows convenient use for outdoor activities. Such surface shall be any practicable combination of lawn, garden, flagstone, wood planking, concrete, asphalt, or other serviceable, dustfree surfacing. Slope shall not exceed 10 percent. Off-street parking and loading areas, driveways, and service areas shall not be counted as usable open space. Adequate safety railings or other protective devices shall be erected wherever necessary for space on a roof, but shall not be more than four feet high.

(b) Location. The space may be located anywhere on the lot within 20 feet of the living units served, except that not more than 20 percent of the required area shall be located on the roof of any building other than an attached garage or carport.

(c) Size and Shape. An area of contiguous space shall be of such size and shape that a rectangle inscribed within it shall have no dimension less than 15 feet. When space is located on a roof, the area occupied by vents or other structures which do not enhance usability of the space shall not be counted toward the above dimension.

(d) Accessibility. The space shall be accessible to all the living units on the lot. It shall be served by any stairway or other accessway qualifying under the Oakland Building Code as an egress facility from a habitable room.

(e) Openness. There shall be no obstructions above the space except for devices to enhance its usability.

(f) Enclosure. Ground-level space shall be screened from abutting lots, streets, alleys, and paths, and abutting private ways described in Section 7051, by a building wall, by dense landscaping not less than three and one-half feet high and not less than three feet wide, or by a solid or grille, lumber or masonry fence or wall not less than three and one-half feet high, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING at Section 8100 and the exceptions stated in said chapter. Fences and walls shall not be so constructed as to interfere with the access required by applicable fire prevention



regulations.

SECTION 8320 PRIVATE USABLE OPEN SPACE. All required private usable open space shall be permanently maintained; shall be located, except as otherwise provided in subsection (b), on the same lot as the living unit it serves; and shall conform to the following standards:

(a) Usability. A surface shall be provided which prevents dust and allows convenient use for outdoor activities. Such surface shall be any practicable combination of lawn, garden, flagstone, wood planking, concrete, asphalt, or other serviceable, dustfree surfacing. Slope shall not exceed 10 percent. Off-street parking and loading areas, driveways, and service areas shall not be counted as usable open space. Adequate safety railings or other protective devices shall be erected wherever necessary for space on a roof or balcony, but shall not be more than four feet high.

(b) Location. The space may be located anywhere on the lot, except that ground-level space shall not be located in a required minimum front yard and except that above-ground-level space shall not be located within five feet of an interior side lot line. Above-ground-level space may be counted even though it projects beyond a street line. All spaces shall be adjacent to, and not more than four feet above or below the floor level of, the living unit served.

(c) Size and Shape. An area of contiguous ground-level space shall be of such size and shape that a rectangle inscribed within it shall have no dimension less than 10 feet. An area of above-ground-level space shall be of such size and shape that a rectangle inscribed within it shall have no dimension less than five feet. When space is located on a roof, the area occupied by vents or other structures which do not enhance usability of the space shall not be counted toward the above dimension.

(d) Accessibility. The space shall be accessible to only one living unit, by a doorway to a habitable room or hallway.

(e) Openness. There shall be no obstructions over ground-level space except for devices to enhance its usability and except that not more than 50 percent of the space may be covered by a private balcony projecting from a higher story. Above-ground-level space shall have at least one exterior side open and unobstructed, except for incidental railings or balustrades, for eight feet above its floor level.

(f) Enclosure. Ground-level space shall be screened from abutting lots, streets, alleys, and paths, from abutting private ways described in Section 7051, and from other areas on the same lot by a building wall, by dense landscaping not less than five and one-half feet high and not less than three feet wide, or by a solid or grille, lumber or masonry fence or wall not less than five and one-half feet high, subject to the STANDARDS FOR REQUIRED LANDSCAPING AND SCREENING at Section 8100 and the exceptions stated in said chapter. However, when such screening would impair a beneficial outward and open orientation or view, with no building located opposite and within 50 feet from such required screening, as measured perpendicularly therefrom in a horizontal plane, the above prescribed height may be reduced to three and one-half feet. Fences and walls shall not be so constructed as to interfere with the access required by applicable fire prevention regulations.



## PROCEDURES AND ADMINISTRATION

### ADMINISTRATIVE APPEAL PROCEDURE

SECTION 9100 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 9100 through Section 9124, inclusive, shall be known as the ADMINISTRATIVE APPEAL PROCEDURE. The purpose of these provisions is to prescribe the procedure by which an appeal may be taken to the Board of Adjustments from any administrative determination or interpretation made by the Director of City Planning under the ZONING REGULATIONS. This procedure shall apply to all appeals from such determinations and interpretations.

SECTION 9101 APPEAL. An appeal may be taken to the Board of Adjustments, by any interested party, from any administrative determination or interpretation made by the Director of City Planning under the ZONING REGULATIONS. Such appeal shall be made on a form prescribed by the City Planning Department and shall be filed with such Department. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Director or wherein his decision is not supported by the evidence in the record. The appeal shall be accompanied by such information as may be required to facilitate review, and by the fee prescribed in the FEE SCHEDULE at Section 9800. Upon receipt of the appeal, the Secretary of the Board of Adjustments shall fix the time for consideration thereof and, not less than five days prior thereto, shall give written notice to the appellant and to any known adverse parties, or to their representatives, of the time and place of the hearing on the appeal.

SECTION 9102 PROCEDURE FOR CONSIDERATION. In its review of an administrative appeal, the Board of Adjustments shall consider the purpose and intent, as well as the letter, of the pertinent provisions, and shall affirm, modify, or reverse the Director's determination or interpretation. Should a decision not be rendered by the Board within 30 days after filing, the Director's determination or interpretation shall be deemed reversed in favor of the appellant. However, said time may be extended by agreement between the Director of City Planning or the Board of Adjustments and the appellant. The decision of the Board shall be final.

## CONDITIONAL USE PERMIT PROCEDURE

SECTION 9200 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 9200 through Section 9224, inclusive, shall be known as the CONDITIONAL USE PERMIT PROCEDURE. The purpose of these provisions is to prescribe the procedure for the accommodation of uses with special site or design requirements, operating characteristics, or potential adverse effects on surroundings, through review and, where necessary, the imposition of special conditions of approval. This procedure shall apply to all proposals for which a conditional use permit is required by the ZONING REGULATIONS.

SECTION 9201 APPLICATION. Application for a conditional use permit shall be made by the owner of the affected property, or his authorized agent, on a form prescribed by the City Planning Department and shall be filed with such Department. The application shall be accompanied by such information including, but not limited to, site and building plans, drawings and elevations, and operational data, as may be required to enable the pertinent criteria to be applied to the proposal, and by the fee prescribed in the FEE SCHEDULE at Section 9800.

### SECTION 9202 PROCEDURE FOR CONSIDERATION.

(a) Major Conditional Use Permits. An application for a conditional use permit for a facility type or activity type the establishment of which is conditionally permitted by the applicable individual ZONE REGULATIONS, for accessory off-street parking serving principal activities which are not themselves permitted by the applicable individual ZONE REGULATIONS, or for an increase in floor-area ratio or number of living units shall be considered by the City Planning Commission. A public hearing shall be held on each such application. Notice of such public hearing shall be given by posting at least five notices thereof in the vicinity of the property involved in the petition, at least five days prior to the date of the hearing. The Commission shall determine whether the proposal conforms to the general use permit criteria set forth in Section 9203 and to other applicable use permit criteria, and may grant or deny the application for the proposed conditional use permit or require such changes or impose such reasonable conditions of approval as are in its judgment necessary to ensure conformity to said criteria. The determination of the Commission shall become final 10 days after the date of decision unless appealed to the City Council in accordance with Section 9204.

(b) Minor Conditional Use Permits. An application for a conditional use permit for purposes other than those listed in subsection (a) shall be considered by the Director of City Planning. However, the Director may, at his discretion, refer any application to the City Planning Commission for consideration rather than acting on it himself. At his or its discretion, the Director or the Commission, as the case may be, may give such notice as is deemed appropriate to adjacent property owners or other affected parties; and, in cases referred by the Director to the Commission, a public hearing may be held before the Commission. The Director or the Commission, as the case may be,



shall determine whether the proposal conforms to the general use permit criteria set forth in Section 9203 and to other applicable use permit criteria, and may grant or deny the application for the conditional use permit or require such changes in the proposed use or impose such reasonable conditions of approval as are in his or its judgment necessary to ensure conformity to said criteria. A determination by the Director of City Planning shall become final five days after the date of decision unless appealed to the City Planning Commission in accordance with Section 9205. In those cases which are referred to the Commission, the decision of the Commission shall be final immediately.

(c) Period of Consideration. Should a decision not be rendered pursuant to subsections (a) or (b) within 60 days after filing, the application shall be deemed approved unless said time has been extended by agreement between the Director of City Planning or the City Planning Commission, as the case may be, and the applicant.

SECTION 9203 GENERAL USE PERMIT CRITERIA. A conditional use permit may be granted only if the proposal conforms to all of the following general use permit criteria, as well as to all other applicable use permit criteria:

(a) That the location, size, design, and operating characteristics of the proposed development will be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage, and density; to the availability of civic facilities and utilities; to the harmful effect, if any, upon desirable neighborhood character; to the generation of traffic and the capacity of surrounding streets; and to any other relevant impact of the development.

(b) That the location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping, or civic environment, and will be as attractive as the nature of the use and its location and setting warrant.

(c) That the proposed development will enhance the successful operation of the surrounding area in its basic community functions, or will provide an essential service to the community or region.

SECTION 9204 APPEAL TO COUNCIL - MAJOR CONDITIONAL USE PERMITS. Within 10 days after the date of a decision by the City Planning Commission on an application for a conditional use permit for one of the purposes set forth in Section 9202(a), or on revocation of such a permit in accordance with Section 9207, an appeal from said decision may be taken to the City Council by the applicant, the permittee, or any other interested party. Such appeal shall be made on a form prescribed by the Commission and shall be filed with the City Clerk. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Commission or wherein its decision is not supported by the evidence in the record. Upon receipt of such appeal the Council shall set the time for consideration thereof. The City Clerk shall notify the Secretary of the City Planning Commission of the receipt of said appeal and of the time set for consideration thereof; and said Secretary shall, not less than five days prior to the date set for the hearing on the



appeal, give written notice to the appellant and to any known adverse parties, or to their representatives, of the time and place of the hearing. In considering the appeal the Council shall determine whether the proposed use conforms to the applicable use permit criteria, and may grant or deny a permit or require such changes in the proposed use or impose such reasonable conditions of approval as are in its judgment necessary to ensure conformity to said criteria. The decision of the Council shall be final.

SECTION 9205 APPEAL TO PLANNING COMMISSION - MINOR CONDITIONAL USE PERMITS. Within five days after the date of a decision by the Director of City Planning on an application for a conditional use permit for one of the purposes referred to in Section 9202(b), an appeal from said decision may be taken to the City Planning Commission by the applicant or any other interested party. Such appeal shall be made on a form prescribed by the City Planning Department and shall be filed with such Department. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Director or wherein his decision is not supported by the evidence in the record. Upon receipt of such appeal the Secretary of the Commission shall set the time for consideration thereof and, not less than five days prior thereto, give written notice to the appellant and to any known adverse parties, or to their representatives, of the time and place of the hearing on the appeal. In considering the appeal the Commission shall determine whether the proposed use conforms to the general use permit criteria set forth in Section 9204 and to any other applicable use permit criteria, and may grant or deny a permit or require such changes in the proposed use or impose such reasonable conditions of approval as are in its judgment necessary to ensure conformity to said criteria. The decision of the Commission shall be final.

SECTION 9206 ADHERENCE TO APPROVED PLANS. A conditional use permit shall be subject to the plans and other conditions upon the basis of which it was granted. Unless a different termination date is prescribed, the permit shall terminate one year from the effective date of its granting unless actual construction or alteration, or actual commencement of the authorized activities in the case of a permit not involving construction or alteration, has begun under necessary permits within such period. However, such period of time may be extended by the original reviewing officer or body, upon application filed at any time before said period has expired.

SECTION 9207 REVOCATION. In the event of a violation of any of the provisions of the ZONING REGULATIONS, or in the event of a failure to comply with any prescribed condition of approval, the City Planning Commission may, after notice and hearing, revoke any conditional use permit. In the case of revocation of a conditional use permit for one of the purposes set forth in Section 9202(a), the determination of the Commission shall become final 10 days after the date of decision unless appealed to the City Council in accordance with Section 9204. In the case of revocation of a conditional use permit for one of the purposes referred to in Section 9202(b), the decision of the Commission shall be final immediately.

## DESIGN REVIEW PROCEDURE

SECTION 9300 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 9300 through Section 9324, inclusive, shall be known as the DESIGN REVIEW PROCEDURE. The purpose of these provisions is to prescribe the procedure for the review of proposed facilities in areas of unusual civic significance requiring special design treatment and consideration of relationships to surrounding development. This procedure shall apply to all proposals for which design review is required by the ZONING REGULATIONS.

SECTION 9301 APPLICATION. Application for design review shall be made by the owner of the affected property, or his authorized agent, on a form prescribed by the City Planning Department and shall be filed with such Department. The application shall be accompanied by such information including, but not limited to, site and building plans, drawings, and elevations, as may be required to allow applicable design review criteria to be applied to the proposal, and by the fee prescribed in the FEE SCHEDULE at Section 9800.

SECTION 9302 PROCEDURE FOR CONSIDERATION. An application for design review shall be considered by the Director of City Planning. However, the Director may, at his discretion, refer any application to the City Planning Commission for consideration rather than acting on it himself. At his or its discretion, the Director or the Commission, as the case may be, may give such notice as is deemed appropriate to adjacent property owners or other interested parties; and, in cases which the Director refers to the Commission, a public hearing may be held before the Commission. The Director or the Commission, as the case may be, shall determine whether the proposed design conforms to the design review criteria set forth in Section 9303 and to any other applicable design review criteria, and may approve or disapprove the proposed design or require such changes therein or impose such reasonable conditions of approval as are in his or its judgment necessary to ensure conformity to said criteria. Should a decision not be rendered by the Director or the Commission within 60 days after filing, the application shall be deemed approved unless said time has been extended by agreement between the Director or the Commission, as the case may be, and the applicant. A determination by the Director shall become final 10 days after the date of decision unless appealed to the City Planning Commission in accordance with Section 9304. In those cases which are referred to the Commission, the decision of the Commission shall become final 10 days after the date of decision unless appealed to the City Council in accordance with Section 9305.

SECTION 9303 DESIGN REVIEW CRITERIA. Design review approval may be granted only if the proposal conforms to all of the following criteria, as well as to all other applicable design review criteria:



(a) That the proposed development shall serve to achieve a group of facilities which will be well related one to another and which, taken together, will result in a well-composed urban design, with consideration given to site, height, arrangement, texture, material, color, and appurtenances, the relation of these factors to other facilities in the immediate area, and the relation of the development to the total setting as seen from key points in the surrounding area. Only elements of design which have some significant relationship to outside appearance shall be considered.

(b) That the proposed development shall be of a quality and character which harmonizes with, and serves to protect the value of, private and public investments in the area.

(c) That the design of the development conforms in all significant respects with the proposals of any applicable district plan or development control map which has been adopted by the City Council.

SECTION 9304 APPEAL TO PLANNING COMMISSION. Within 10 days after the date of a decision by the Director of City Planning on an application for design review, an appeal from said decision may be taken to the City Planning Commission by the applicant or any other interested party. Such appeal shall be made on a form prescribed by the City Planning Department and shall be filed with such Department. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Director or wherein his decision is not supported by the evidence in the record. Upon receipt of such appeal the Secretary of the Commission shall set the time for consideration thereof and, not less than five days prior thereto, give written notice to the appellant and to any known adverse parties, or to their representatives, of the time and place of the hearing. In considering such appeal the Commission shall determine whether the proposed design conforms to the design review criteria set forth in Section 9303 and to any other applicable design review criteria, and may approve or disapprove the proposed design or require such changes therein or impose such reasonable conditions of approval as are in its judgment necessary to ensure conformity to said criteria. The determination of the Commission shall become final 10 days after the date of decision unless appealed to the City Council in accordance with Section 9305.

SECTION 9305 APPEAL TO COUNCIL. Within 10 days after the date of a decision by the City Planning Commission on an application for design review, an appeal from said decision may be taken to the City Council by the applicant or any other interested party. Such appeal shall be made on a form prescribed by the Commission and shall be filed with the City Clerk. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Commission or wherein its decision is not supported by the evidence in the record. Upon receipt of such appeal the Council shall set the time for the consideration thereof. The City Clerk shall notify the Secretary of the Planning Commission of the receipt of said appeal and of the time set for consideration thereof; and said Secretary shall, not less than five days prior to the date set for the hearing on the appeal, give written notice to the appellant and to any known adverse parties, or to their representatives, of the



time and place of the hearing. In considering the appeal the Council shall determine whether the proposed design conforms to the applicable design review criteria, and may approve or disapprove the proposed design or require such changes therein or impose such reasonable conditions of approval as are in its judgment necessary to ensure conformity to said criteria. The decision of the Council shall be final.

SECTION 9306 ADHERENCE TO APPROVED PLANS. A design review approval shall be subject to the plans and other conditions upon the basis of which it was granted. Unless a different termination date is prescribed, the approval shall terminate one year from the effective date of its granting unless actual construction, alteration, or painting has begun under necessary permits within such period. However, such period of time may be extended by the original reviewing officer or body, upon application filed at any time before said period has expired.

## PLANNED UNIT DEVELOPMENT PROCEDURE

SECTION 9400 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 9400 through Section 9424, inclusive, shall be known as the PLANNED UNIT DEVELOPMENT PROCEDURE. The purpose of these provisions is to prescribe the procedure for the review of planned unit developments and to encourage those which are appropriately designed and located. This procedure shall apply to all proposed developments for which a permit is required by Section 7802. Whenever such a development is subject to the Real Estate Subdivision Regulations, this procedure shall be complied with, and, in addition thereto, such regulations.

SECTION 9401 APPLICATION. Application for a planned unit development permit shall be made by the owner of the affected property or his authorized agent, or by another party described in Section 7803, on a form prescribed by the City Planning Department and shall be filed with such Department. The application shall be accompanied by the fee prescribed in the FEE SCHEDULE at Section 9800, and by the following:

(a) A preliminary development plan of the entire development, showing streets, driveways, sidewalks and pedestrian ways, and off-street parking and loading areas; location and approximate dimensions of structures; utilization of structures, including activities and the number of living units; estimated population; reservations for public uses, including schools, parks, playgrounds, and other open spaces; major landscaping features; relevant operational data; and drawings and elevations clearly establishing the scale, character, and relationship of buildings, streets, and open spaces. Such development plan shall include maps and information on the surrounding area within 100 feet of the development. All elements listed in this paragraph shall be characterized as existing or proposed, and sufficiently detailed to indicate intent and impact.

(b) A tabulation of the land area to be devoted to various uses, and a calculation of the average residential density per net acre and per net residential acre.

(c) A stage development schedule demonstrating that the developer intends to commence construction within one year after the approval of the final development plan, and will proceed diligently to completion.

(d) If it is proposed that the final development plan will be submitted in stages, a schedule for submission thereof.

SECTION 9402 PRELIMINARY PLANNING COMMISSION ACTION. An application for a planned unit development permit shall be considered by the City Planning Commission. A public hearing shall be held on each such application. Notice of such public hearing shall be given by posting at least five notices thereof in the vicinity of the property involved in the petition, at least five days prior to the date of the hearing. After such hearing the Commission shall determine whether the proposal conforms to the permit criteria set forth in Section 9407 and to the PLANNED UNIT DEVELOPMENT REGULATIONS at Section 7800, and may approve or disapprove the application and the accompanying preliminary development plan or require such changes therein or impose such reasonable conditions of approval as are in its judgment necessary to

ensure conformity to said criteria and regulations. In so doing, the Commission may in its discretion authorize submission of the final development plan in stages corresponding to different units or elements of the development. It may do so only upon evidence assuring completion of the entire development in accordance with the preliminary development plan and stage development schedule. Should a decision not be rendered within 60 days after filing, the application and preliminary development plan shall be deemed approved unless said time has been extended by agreement between the Director of City Planning or the City Planning Commission and the applicant. The determination of the Commission shall become final 10 days after the date of decision unless appealed to the City Council in accordance with Section 9406.

SECTION 9403 SUBMISSION OF FINAL DEVELOPMENT PLAN. Within one year after the approval or modified approval of a preliminary development plan, the applicant shall file with the City Planning Department a final plan for the entire development or, when submission in stages has been authorized pursuant to Section 9402, for the first unit of the development. The final plan shall conform in all major respects with the approved preliminary development plan. The final plan shall include all information included in the preliminary development plan plus the following: the location of water, sewerage, and drainage facilities; detailed building and landscaping plans and elevations; the character and location of Signs; plans for street improvements; and grading or earth-moving plans. The final plan shall be sufficiently detailed to indicate fully the ultimate operation and appearance of the development. Copies of legal documents required by the Commission for dedication or reservation of group or common open space, or for the creation of a nonprofit homes association, shall also be submitted.

SECTION 9404. CITY ENGINEER'S REPORT. Within 30 days after the filing of the final development plan, the City Planning Commission shall forward such development plan and the original application to the City Engineer for review of public improvements, including streets, sewers, and drainage. The Commission shall not act on a final development plan until it has first received a report from the City Engineer or until more than 30 days have elapsed since the plan and application were sent to the City Engineer, whichever is the shorter period.

SECTION 9405 FINAL PLANNING COMMISSION ACTION. Upon receipt of the final development plan the City Planning Commission shall examine such plan and determine whether it conforms to all applicable criteria and standards and whether it conforms in all substantial respects to the previously approved preliminary development plan. The Commission may grant or deny a planned unit development permit or require such changes in the proposed development or impose such conditions of approval as are in its judgment necessary to ensure conformity to the applicable criteria and standards. In so doing, the Commission may permit the applicant to revise the plan and resubmit it as a final development plan within 30 days. If the Commission does not grant such permission, the decision of the Commission shall become final 10 days after the date of decision unless appealed to the City Council in accordance with Section 9406.



SECTION 9406 APPEAL TO COUNCIL. Within 10 days after the date of a decision by the City Planning Commission on an application for approval of a preliminary or final development plan or for modification or amendment of any such plan, or on revocation of any such plan in accordance with Section 9411, an appeal from said decision may be taken to the City Council by the applicant, the permit holder, or any other interested party. Such appeal shall be made on a form prescribed by the Commission and shall be filed with the City Clerk. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Commission or wherein its decision is not supported by the evidence in the record. Upon receipt of such appeal the Council shall set the time for consideration thereof. The City Clerk shall notify the Secretary of the City Planning Commission of the receipt of said appeal and of the time set for consideration thereof; and said Secretary shall, not less than five days prior to the date set for the hearing on the appeal, give written notice to the appellant and to any known adverse parties, or to their representatives, of the time and place of the hearing. In considering the appeal the Council shall determine whether the proposal conforms to the applicable criteria and standards, and may approve or disapprove the proposed development or require such changes therein or impose such reasonable conditions of approval as are in its judgment necessary to ensure conformity to said criteria and standards. The decision of the Council shall be final.

SECTION 9407 PERMIT CRITERIA. A planned unit development permit may be granted only if it is found that the development conforms to all of the following criteria, as well as to the PLANNED UNIT DEVELOPMENT REGULATIONS at Section 7800:

(a) That the location, design, size, and uses are consistent with the Oakland General Plan, and with any other applicable plan, development control map, or ordinance adopted by the City Council.

(b) That the location, design, and size are such that the development can be well integrated with its surroundings, and in the case of a departure in character from surrounding uses that the location and design will adequately reduce the impact of the development.

(c) That the location, design, size, and uses are such that traffic generated by the development can be accommodated safely and without congestion on major streets and will avoid traversing other local streets.

(d) That the location, design, size, and uses are such that the residents or establishments to be accommodated will be adequately served by existing or proposed facilities and services.

(e) That the location, design, size, and uses will result in an attractive, healthful, efficient, and stable environment for living, shopping, or working, the beneficial effects of which environment could not otherwise be achieved under the ZONING REGULATIONS.

(f) That the development will be well integrated into its setting, will not require excessive earth moving or destroy desirable natural features, will not be visually obtrusive and will harmonize with surrounding areas and facilities, and will not substantially harm major views for surrounding residents.

SECTION 9408 MAPPING. Whenever a planned unit development permit has been granted, and so long as the permit is in effect, the boundary of the planned unit development shall be indicated on the Zoning Map of the City of Oakland.

SECTION 9409 LIMITATION ON RESUBMISSION. Whenever an application for a planned unit development permit has been denied, no application for the same area or any portion thereof shall be filed by the same applicant within six months after the date of denial.

SECTION 9410 ADHERENCE TO APPROVED PLAN, AND MODIFICATION THEREOF. The applicant shall agree in writing to be bound, for himself and his successors in interest, by the conditions prescribed for approval of a development. The approved final plan and stage development schedule shall control the issuance of all building permits and shall restrict the nature, location, and design of all uses. Minor changes in an approved preliminary or final development plan may be approved by the Director of City Planning if such changes are consistent with the purposes and general character of the development plan. All other modifications, including extensions or revisions of the stage development schedule, shall be processed in the same manner as the original application and shall be subject to the same procedural requirements.

SECTION 9411 REVOCATION. In the event of a failure to comply with the approved plan or any prescribed condition of approval, including failure to comply with the stage development schedule, the City Planning Commission may, after notice and hearing, revoke a planned unit development permit. The determination of the Commission shall become final 10 days after the date of decision unless appealed to the City Council in accordance with Section 9406.



## REZONING AND LAW CHANGE PROCEDURE

SECTION 9500 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 9500 through Section 9524, inclusive, shall be known as the REZONING AND LAW CHANGE PROCEDURE. The purpose of these provisions is to prescribe the procedure by which changes may be made in the text of the ZONING REGULATIONS and in the application thereof to specific properties. This procedure shall apply to all proposals to rezone property, to change the text of the ZONING REGULATIONS, or to establish, amend, or delete any development control map.

SECTION 9501 NO COUNCIL ACTION WITHOUT PLANNING COMMISSION RECOMMENDATION. The City Council shall not rezone any property, change the text of any provision of the ZONING REGULATIONS, or establish, amend, or delete any development control map until after it has received, pursuant to this procedure, a recommendation from the City Planning Commission.

### SECTION 9502 INITIATION.

(a) Private Party Initiation. The owner of any property, or his authorized agent, may make application to the City Planning Commission to rezone such property or to amend or delete any development control map applicable thereto.

(b) Commission Initiation. The City Planning Commission may, and upon request of the City Council shall, initiate action to rezone any property, to change the text of the ZONING REGULATIONS, or to establish, amend, or delete any development control map.

SECTION 9503 PRIVATE PARTY APPLICATION. A private party application shall be made by the owner of the affected property, or his authorized agent, on a form prescribed by the City Planning Department and shall be filed with such Department. The application shall be accompanied by a description of the property or such other information as may be required by the City Planning Commission, and by the fee prescribed in the FEE SCHEDULE at Section 9800.

SECTION 9504 PRIVATE PARTY INITIATION - PLANNING COMMISSION ACTION. In the case of private party initiation, the City Planning Commission shall hold a public hearing on the application within 30 days after the date of application. Notice of such hearing shall be given by posting at least five notices thereof in the vicinity of the property involved in the petition, at least five days prior to the date of the hearing. Within 30 days following the public hearing the Commission shall render a decision on the application. The Commission shall consider whether the zone or development control map applicable to the property under consideration is inadequate or otherwise contrary to the public interest, and may approve, modify, or disapprove the private party application, or decide with the consent of the applicant to defer action until necessary studies and plans shall have been completed for the area. In case of approval or modified approval the Commission shall, within five days of its decision, forward its recommendation to the City Council for appropriate action. In case of denial of a private



party application, the decision of the Commission shall become final 10 days after the date of the decision unless appealed to the City Council in accordance with Section 9505.

SECTION 9505 APPEAL TO COUNCIL BY PRIVATE PARTY. Within 10 days after the date of an adverse decision by the City Planning Commission on a private party application, an appeal from said decision may be taken to the City Council by the applicant. Such appeal shall be made on a form prescribed by the Commission and shall be filed with the City Clerk. The appeal shall state specifically wherein it is claimed the Commission erred in its decision. The appeal shall be considered in accordance with Section 9507.

SECTION 9506 PLANNING COMMISSION INITIATION - PLANNING COMMISSION ACTION. In the case of initiation by the City Planning Commission, the Commission shall within a reasonable period of time hold a public hearing on its proposal. When the proposal involves rezoning of property or the establishment, amendment, or deletion of a development control map, notice of such hearing shall be given by posting at least five notices thereof in the vicinity of the property involved in the petition, at least five days prior to the date of the hearing. When the proposal involves changing the text of the ZONING REGULATIONS, such notice shall be given in the official newspaper of the City of Oakland, at least five days prior to the date of the hearing. Within 60 days after the date of the hearing the Commission shall make a decision on the proposal. The Commission shall consider whether the existing regulation, zone, or development control map is inadequate or otherwise contrary to the public interest, and may approve, modify, or disapprove the proposal, or may defer action until completion of such studies or plans as may be necessary to determine the advisability of the proposal. In case of approval or modified approval, the Commission shall forward the proposal with its recommendation to the City Council for appropriate action.

SECTION 9507 COUNCIL ACTION. Upon receipt of an appeal by a private party, or upon receipt of a recommendation from the City Planning Commission, the City Council shall set the time for consideration of the matter. In the case of an appeal by a private party, the City Clerk shall notify the Secretary of the Commission of the receipt of the appeal and of the time set for consideration thereof; and said Secretary shall, not less than five days prior to the date set for the hearing on the appeal, give written notice to the appellant and to any known adverse parties, or to their representatives, of the time and place of the hearing. Upon an appeal by a private party, or upon the receipt of a recommendation from the City Planning Commission, the Council may approve, modify, or reverse the decision, or may approve, modify, or disapprove the Commission's recommendation, as the case may be. The decision of the Council shall be final.

SECTION 9508 LIMITATION ON RESUBMISSION. Whenever a private party application has been denied by the City Council, no such application for the same proposal affecting the same property, or any portion thereof, shall be filed within one year after the date of denial.

## VARIANCE PROCEDURE

SECTION 9600 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 9600 through Section 9624, inclusive, shall be known as the VARIANCE PROCEDURE. The purpose of these provisions is to prescribe the procedure for the relaxation of any substantive provision of the ZONING REGULATIONS, under specified conditions, so that the public welfare is secured and substantial justice done most nearly in accord with the intent and purposes of the ZONING REGULATIONS. This procedure shall apply to all proposals to vary the strict requirements of the ZONING REGULATIONS.

SECTION 9601 APPLICATION. Application for a variance shall be made by the owner of the affected property, or his authorized agent, on a form prescribed by the City Planning Department and shall be filed with such Department. The application shall be accompanied by such information including, but not limited to, site and building plans, drawings and elevations, and operational data, as may be required to permit the review of the proposal in the context of the required findings, and by the fee prescribed in the FEE SCHEDULE at Section 9800.

### SECTION 9602 PROCEDURE FOR CONSIDERATION.

(a) Major Variances. An application for a variance from a provision of the ZONING REGULATIONS with respect to permitted activities or facilities, number of required off-street parking spaces or loading berths, performance standards, maximum height, maximum number of living units, maximum floor-area ratio, restrictions on the vertical location of activities within a structure, or maximum size of the activities conducted by a single firm (collectively referred to herein as "major variance") shall be considered by the Board of Adjustments. However, the Board may, at its discretion, refer any application to the City Planning Commission for consideration rather than acting on it itself. A public hearing shall be held on each application. Notice of such public hearing shall be given by posting at least five notices thereof in the vicinity of the property involved in the petition, at least five days prior to the date of the hearing. The Board or the Commission, as the case may be, shall determine whether the conditions required in Section 9603 or Section 9604 are present, and may grant or deny an application for a variance or require such changes in the proposed use or impose such reasonable conditions of approval as are in its judgment necessary to promote the purposes of the ZONING REGULATIONS. The determination of the Board or the Commission, as the case may be, shall become final 10 days after the date of decision unless appealed to the City Council in accordance with Section 9605.

(b) Minor Variances. An application for a variance from a provision of the ZONING REGULATIONS other than those listed in subsection (a) (referred to herein as "minor variance") shall be considered by the Director of City Planning. However, the Director may, at his discretion, refer any application to the Board of Adjustments for consideration rather than acting on it himself. At his or its discretion, the Director or the Board, as the case may



be, may give such notice as is deemed appropriate to adjacent property owners or other affected parties; and, in cases referred by the Director to the Board, a public hearing may be held before the Board. The Director or the Board, as the case may be, shall determine whether the conditions required in Section 9603 or Section 9604 are present, and may grant or deny an application for a variance or require such changes in the proposed use or impose such reasonable conditions of approval as are in his or its judgment necessary to promote the purposes of the ZONING REGULATIONS. A determination by the Director of City Planning shall become final five days after the date of decision unless appealed to the Board of Adjustments in accordance with Section 9606. In cases which the Director refers to the Board, the decision of the Board shall be final.

(c) Period of Consideration. Should a decision not be rendered pursuant to subsections (a) or (b) within 60 days after filing, the application shall be deemed approved unless said time has been extended by agreement between the Director of City Planning, the Board of Adjustments, or the City Planning Commission, as the case may be, and the applicant.

SECTION 9603 FINDINGS REQUIRED. Except as otherwise provided in Section 9604, a variance may be granted only upon determination that all of the following conditions are present:

(a) That strict compliance with the specified regulation would result in practical difficulty or unnecessary hardship inconsistent with the purposes of the ZONING REGULATIONS, due to unique physical or topographic circumstances or conditions of design; or, as an alternative in the case of a minor variance or a variance from a height limit, that such strict compliance would preclude an effective design solution improving livability, operational efficiency, or appearance.

(b) That strict compliance with the regulation would deprive the applicant of privileges enjoyed by owners of similarly zoned property; or, as an alternative in the case of a minor variance or a variance from a height limit, that such strict compliance would preclude an effective design solution fulfilling the basic intent of the applicable regulation.

(c) That the variance, if granted, will not adversely affect the character, livability, or appropriate development of abutting properties or the surrounding area, and will not be detrimental to the public welfare or contrary to adopted plans or development policy.

(d) That the variance will not constitute a grant of special privilege inconsistent with limitations imposed on similarly zoned properties or inconsistent with the purposes of the ZONING REGULATIONS.

SECTION 9604 ALTERNATIVE FINDINGS FOR PRE-ENACTMENT VARIANCE. As an alternative to the findings required in Section 9603, a variance may be granted within one year after the effective date of the ZONING REGULATIONS upon a determination that all of the following conditions are present:



(a) That the applicant has initiated the preparation of plans for development prior to six weeks before the effective date of the ZONING REGULATIONS and in complete adherence to the previously applicable zoning ordinance, so that no variance or other special approval would have been needed thereunder.

(b) That abandonment of such plans or revision in accordance with the ZONING REGULATIONS would result in substantial economic hardship in terms of expenditures on the preparation of plans.

(c) That the variance, if granted, will allow a development of sound and attractive design, which will not adversely affect the character, livability, or appropriate development of abutting property or the surrounding area, and will not be detrimental to the public welfare or contrary to adopted plans or development policy.

SECTION 9605 APPEAL TO COUNCIL - MAJOR VARIANCES. Within 10 days after the date of a decision by the Board of Adjustments or the City Planning Commission, as the case may be, on an application for a variance from one of the provisions referred to in Section 9602 (a), or on revocation of such a variance in accordance with Section 9608, an appeal from said decision may be taken to the City Council by the applicant, the holder of the variance, or any other interested party. Such appeal shall be made on a form prescribed by the Board of Adjustments and shall be filed with the City Clerk. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Board or the Commission or wherein its decision is not supported by the evidence in the record. Upon receipt of such appeal the Council shall set the time for consideration thereof. The City Clerk shall notify the Secretary of the Board of Adjustments or of the City Planning Commission, as the case may be, of the receipt of said appeal and of the time set for consideration thereof; and said Secretary shall, not less than five days prior to the date set for the hearing on the appeal, give written notice to the appellant and to any known adverse parties, or to their representatives, of the time and place of the hearing. In considering the appeal the Council shall determine whether the conditions required by Section 9603 or Section 9604 are present, and may grant or deny an application for a variance or require such changes in the proposed use or impose such reasonable conditions of approval as are in its judgment necessary to carry out the purposes of the ZONING REGULATIONS. The decision of the Council shall be final.

SECTION 9606 APPEAL TO BOARD OF ADJUSTMENTS - MINOR VARIANCES. Within five days after the date of a decision by the Director of City Planning on an application for a variance from one of the provisions referred to in Section 9602(b), an appeal from said decision may be taken to the Board of Adjustments by the applicant or any other interested party. Such appeal shall be made on a form prescribed by the City Planning Department and shall be filed with such Department. The appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Director or wherein his decision is not supported by the evidence in the record. Upon receipt of such appeal the Secretary of the Board shall set the time for consideration thereof and, not less than five days prior thereto, shall give written notice to the

appellant and to any known adverse parties, or to their representatives, of the time and place of the hearing on the appeal. In considering the appeal the Board shall determine whether the conditions required in Sections 9603 or 9604 are present, and may grant or deny an application for a variance or require such changes in the proposed use or impose such reasonable conditions of approval as are in its judgment necessary to carry out the purposes of the ZONING REGULATIONS. The decision of the Board shall be final.

SECTION 9607 ADHERENCE TO APPROVED PLANS. A variance shall be subject to the plans and other specified conditions upon the basis of which it was granted. Unless a different termination date is prescribed, the permit shall terminate one year from the effective date of its granting unless actual construction or alteration, or actual commencement of the authorized activities in the case of a variance not involving construction or alteration, has begun under valid permits within such period. However, such period of time may be extended by the original reviewing officer or body, upon application filed at any time before said period has expired.

SECTION 9608 REVOCATION. In the event of a violation of any of the provisions of the ZONING REGULATIONS, or in the event of a failure to comply with any prescribed condition of approval, or in the event that one year has elapsed since the granting of a variance and no building permit or sign permit has been issued pursuant thereto, or in the event that the authorized activities, in cases not requiring a building or sign permit, have not commenced within said period, the Board of Adjustments, or the City Planning Commission in the case of a variance which was originally acted upon by the Commission, may, after notice and hearing, revoke any variance. In the case of a revocation of a variance from one of the provisions listed in Section 9602(a), the determination of the Board or the Commission, as the case may be, shall become effective 10 days after the date of decision unless appealed to the City Council in accordance with Section 9605. In the case of a revocation of a variance from one of the provisions referred to in Section 9602(b), the decision of the Board shall be final.

SECTION 9609 VARIANCE RELATED TO CONDITIONAL USE PERMIT, DESIGN REVIEW, PLANNED UNIT DEVELOPMENT, OR SUBDIVISION. Whenever a variance is required for a proposal also requiring a conditional use permit, design review, or a planned unit development permit, application for the variance shall be included in the application for said conditional use permit, design review, or planned unit development permit, and shall be processed and considered as part of same. Whenever a variance is proposed for a facility located within a proposed residential subdivision, the application for the variance may be submitted with the Tentative Map, pursuant to the Real Estate Subdivision Regulations of the Oakland Municipal Code, and may be processed and considered therewith. In either case, however, the reviewing officer or body shall, in considering such a variance, determine whether the conditions required in Section 9603 or Section 9604 are present.



## FEE SCHEDULE

SECTION 9800 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 9800 through Section 9824, inclusive, shall be known as the FEE SCHEDULE. The purpose of these provisions is to prescribe the fees for the filing of applications for the procedures indicated herein. This fee schedule shall apply to all such filings.

SECTION 9801 NO FEE FOR PUBLIC AGENCY. No fee shall be charged for an application filed by any city, county, district, state, federal, foreign, or international government, or agency thereof.

SECTION 9802 NO FEE FOR RENEWALS. No fee shall be charged for an application to extend a termination date or a stage development schedule prescribed as a condition of an approval which has been granted and which has not expired, provided that no substantial change in plans or other conditions of approval is proposed.

SECTION 9803 REFUND OF FEE. The Director of City Planning may refund an application fee in whole upon a determination that the application was erroneously required or filed. He may refund a fee pro rata, based on the cost of processing the application, if the application is withdrawn prior to a decision thereon. The Director's determination shall be subject to appeal pursuant to the ADMINISTRATIVE APPEAL PROCEDURE at Section 9100.

SECTION 9810 ADMINISTRATIVE APPEAL. No fee shall be charged for an administrative appeal.

### SECTION 9811 CONDITIONAL USE PERMIT.

(a) Major Conditional Use Permit. A fee of \$50 shall be charged for an application for a conditional use permit for one of the purposes set forth in Section 9202(a).

(b) Minor Conditional Use Permit. A fee of \$15 shall be charged for an application for a conditional use permit for one of the purposes referred to in Section 9202(b).

SECTION 9812 DESIGN REVIEW. No fee shall be charged for an application for design review.

### SECTION 9813 PLANNED UNIT DEVELOPMENT.

(a) Original Application. A fee of \$100, plus \$10 for each 25,000 square feet of aggregate lot area or major fraction thereof in excess of 60,000 square feet, shall be charged for an application for a planned unit development permit. For the purposes of this section, a major fraction shall be deemed to be 12,500 or more square feet.

(b) Modification of Approved Plan. A fee of one-half that prescribed in subsection (a) shall be charged for an application for major modification or amendment of an approved preliminary or final development plan.



SECTION 9814 REZONING AND LAW CHANGE. A fee of \$100 shall be charged for a private party application to rezone property or to amend or delete a development control map applicable thereto. A single fee shall be charged for a joint application involving two or more properties which are abutting or are separated only by a street, alley, or path.

SECTION 9815 VARIANCE.

(a) Major Variance. A fee of \$50 shall be charged for an application for a variance from one of the provisions set forth in Section 9602(a).

(b) Minor Variance. A fee of \$15 shall be charged for an application for a variance from one of the provisions referred to in Section 9602(b).

(c) Application for More Than One Property. A single fee shall be charged where similar variances are requested for two or more properties which have like characteristics and which are abutting or are separated only by a street, alley, or path.

(d) Variance Related to Other Type of Application. No fee shall be charged for a variance included, pursuant to Section 9609, in an application for subdivision approval or for a conditional use permit, design review, or a planned unit development permit.

## ENFORCEMENT REGULATIONS

SECTION 9900 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 9900 through Section 9924, inclusive, shall be known as the ENFORCEMENT REGULATIONS. The purpose of these regulations is to ensure compliance with the ZONING REGULATIONS. These provisions shall apply to the enforcement of the ZONING REGULATIONS, but shall not be deemed exclusive.

SECTION 9901 OFFICIAL ACTION. All officials, departments, and employees of the City of Oakland vested with the authority to issue permits, certificates, or licenses shall adhere to, and require conformance with, the ZONING REGULATIONS.

SECTION 9902 INSPECTION AND RIGHT OF ENTRY. Whenever they shall have cause to suspect a violation of any provision of the ZONING REGULATIONS, or whenever necessary to investigation of an application for or revocation of any zoning approval under any of the procedures prescribed in the ZONING REGULATIONS, the officials responsible for enforcement or administration of the ZONING REGULATIONS, or their duly authorized representatives, may enter on any site or into any structure for the purpose of investigation, provided they shall do so in a reasonable manner. No secured building shall be entered without the consent of the owner or occupant. No owner or occupant or agent thereof shall, after reasonable notice and opportunity to comply, refuse to permit such entry.

SECTION 9903 ABATEMENT. Any use which is established, operated, erected, moved, altered, enlarged, painted, or maintained contrary to the ZONING REGULATIONS shall be and is hereby declared to be unlawful and a public nuisance, and may be abated as such.

SECTION 9904 PENALTIES. Any person who violates or causes or permits another person to violate any provision of the ZONING REGULATIONS is guilty of a misdemeanor, and upon conviction shall be punishable by a fine of not more than \$500 or by imprisonment for not more than six months, or by both such fine and imprisonment. A violator may be deemed guilty of a separate offense for each day during any portion of which a violation of the ZONING REGULATIONS is committed, continued, or permitted.

## ZONING MAPS

SECTION 10000 TITLE AND PURPOSE. The provisions of Section 10000 through Section 10999, inclusive, shall be known as the ZONING MAPS. The purpose of these provisions is to accomplish the following objectives:

(a) To describe in map and/or text form the boundaries of zones referred to, established, or amended by the ZONING REGULATIONS.

(b) To describe in map and/or text form the boundaries and other features of development control maps referred to, established, or amended by the ZONING REGULATIONS.

(c) To promote precision and consistency in the interpretation of boundaries between zones and of boundaries and other features of development control maps.

SECTION 10001 APPLICABILITY. The provisions of the ZONING MAPS shall apply to all property within the City of Oakland except freeways, streets, alleys, and paths. Said property is hereby divided into, and included within, zones and development control maps as hereinafter set forth.

### SECTION 10002 REFERENCE TO MAPS AND SUPPORTING TEXT.

(a) Zone Boundaries. Boundaries and descriptions of the zones referred to in the ZONING REGULATIONS shall be as shown on the section maps attached to and adopted by Ordinance No. 475 C.M.S., including all subsequent changes and additions thereto. Said section maps, and all subsequent changes and additions thereto, are hereby incorporated by reference into this Code as a portion of the ZONING MAPS, and shall be as much a part thereof as if the matters and information set forth by said maps and changes and additions were fully described herein. The designation of the districts shown thereby shall, however, be changed as provided by Section 10010. Rezoning after the effective date of this Code shall be accomplished by the enactment of additional sections to said Ordinance No. 475 C.M.S.

(b) Development Control Maps. The description and boundaries, and other features, of Development Control Map No. 1 (Peralta Oaks) shall be as set forth in Ordinance No. 6864 C.M.S. Said development control map is hereby incorporated by reference into this Code as a portion of the ZONING MAPS, and shall be as much a part thereof as if the matters and information set forth thereby were fully described herein. Development control maps shall be established or changed by the enactment of ordinances which are incorporated into this Code as prescribed above.

SECTION 10010 REDESIGNATION OF EXISTING ZONING DISTRICTS. Each of the zoning districts into which the City of Oakland is divided on the effective date of this Code is hereby redesignated, fixed, and established as follows. The provisions of this section are for the purpose of changing the names of existing zones to their counterparts under this Code.



Former Name of Zoning DistrictNew Name of Zone

"AA"	Suburban One-Family District or "AA" District	R-10 Estate Residential Zone or R-10 Zone
"A-1"	Low Density One-Family District or "A-1" District	R-20 Low Density Residential Zone or R-20 Zone
"A"	One-Family District or "A" District	R-30 One-Family Residential Zone or R-30 Zone
"B"	Medium Density Residential District or "B" District	R-50 Medium Density Residential Zone or R-50 Zone
"CC"	Limited Multiple Dwelling District or "CC" District	R-70 High Density Residential Zone or R-70 Zone
"UR-C"	Urban Renewal Multiple Dwelling District or "UR-C" District	R-70 High Density Residential Zone or R-70 Zone
"C"	Multiple Dwelling District or "C" District	R-70 High Density Residential Zone or R-70 Zone
"UR-D"	Urban Renewal Multiple Dwelling District or "UR-D" District	R-80 High-Rise Apartment Residential Zone or R-80 Zone
"D"	Multiple Dwelling District or "D" District	R-80 High-Rise Apartment Residential Zone or R-80 Zone
"UR-E"	Urban Renewal Commercial District or "UR-E" District	C-20 Shopping Center Commercial Zone or C-20 Zone
"E"	Commercial District or "E" District	C-30 District Thoroughfare Commercial Zone or C-30 Zone
"UR-F"	Urban Renewal General Business District or "UR-F" District	C-40 Community Thoroughfare Commercial Zone or C-40 Zone
"F"	General Business District or "F" District	C-40 Community Thoroughfare Commercial Zone or C-40 Zone
"G"	Central Business District or "G" District	C-50 Central Business Commercial Zone or C-50 Zone
"H"	Light Industrial District or "H" District	M-30 General Industrial Zone or M-30 Zone
"I"	Heavy Industrial District or "I" District	M-40 Heavy Industrial Zone or M-40 Zone
"L"	Lakeshore Combining District or "L" District	S-4 Design Review Combining Zone or S-4 Zone
"L-2"	Design Review Combining District or "L-2" District	S-4 Design Review Combining Zone or S-4 Zone
"T"	Travel Accommodation Combining District or "T" District	S-5 Travel Accommodation Combining Zone or S-5 Zone
"S-1"	Medical Center District or "S-1" District	S-1 Medical Center Zone or S-1 Zone
"S-2"	Civic Center District or "S-2" District	S-2 Civic Center Zone or S-2 Zone
"S-3"	Research Center District or "S-3" District	S-3 Research Center Zone or S-3 Zone

SECTION 10011 RULES FOR INTERPRETING MAPS.

(a) When Written Description Exists. Whenever the location of a boundary or other feature appearing on a map included in the ZONING MAPS is indicated in a legal description or other written statement incorporated herein by Section 10002, said location shall be interpreted precisely as described in such statement.

(b) When Location Approximates Lot Line or Other Line. Whenever no applicable written statement exists, and the location of a boundary or other feature included in the ZONING MAPS approximates an edge or center line, as the case may be, of a street, alley, path, railroad right-of-way, city, or body of water which was in existence when said boundary or other feature was established, the location of the boundary or other feature shall be interpreted to follow such edge or center line. Whenever the location of such boundary or other feature approximates a predominant alignment, within a block, of lot lines, or lines bounding parcels shown on a recorded subdivision plat or record of survey, which lot lines or parcel lines were in existence when said boundary or other feature was established, the location of the boundary or other feature shall be interpreted to follow such predominant alignment, provided that such alignment is not more than 30 feet, as measured perpendicularly at any point, from the apparent location which may be determined by using the scale on the map.

(c) When Subsections (a) and (b) Are Inoperative. Whenever the situations described in subsections (a) and (b) are not applicable, the location of a boundary or other feature included in the ZONING MAPS shall be determined through use of the scale on the map. Should any further uncertainty exist, said location shall be interpreted by the Director of City Planning. Such interpretation shall be subject to appeal pursuant to the ADMINISTRATIVE APPEAL PROCEDURE at Section 9100.

SECTION 10012 APPLICATION OF REGULATIONS TO LOTS DIVIDED BY ZONE BOUNDARIES. Wherever it is found, after applying the rules set forth in Section 10011, that a lot is divided by a boundary between zones, the provisions of the ZONING REGULATIONS shall apply to such lot as prescribed in Section 7006. The actual location of the zone boundary itself shall not be deemed to be changed by the provisions of Section 7006.

SECTION 10013 ZONING OF VACATED STREETS AND ANNEXED LAND. Land which has been or is hereafter included in the vacation or disposal of any street, alley, or path, or any unzoned public property, or which has been or is hereafter annexed to the City of Oakland, shall, in the absence of rezoning action to the contrary, be deemed to be included in the same zone as the lots which it abuts. In case opposite sides of such land are in different zones, the boundary between such zones shall be deemed to be the center line of such land.



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